

From: [Harley, Keith](#)
To: [Title VI Complaints](#)
Subject: Title VI Complaint - Initial Filing
Date: Monday, June 29, 2015 3:16:55 PM
Attachments: [SETFOCRComplaintLEPA.pdf](#)

Please be advised that I represent the Southeast Environmental Task Force, a not-for-profit organization dedicated to environmental education, open space preservation and pollution prevention on the southeast side of Chicago, Illinois.

Please accept this message and the attached document as a formal Complaint that asserts the Illinois Environmental Protection Agency, a recipient of U.S. EPA assistance, engaged in discriminatory activity that violates Title VI of the Civil Rights Act of 1964 and U.S. EPA's implementing regulations.

Please contact me to confirm receipt of this Complaint.

Keith Harley (312) 726-2938
Attorney for the Southeast Environmental Task Force
Chicago Legal Clinic, Inc.
211 W. Wacker Drive, Suite 750
Chicago, IL 60606
(312) 726-2938
(312) 726-5206 (fax)
kharley@kentlaw.iit.edu

CHICAGO LEGAL CLINIC, INC.

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* also admitted in Indiana

June 29, 2015

Director of the Office of Civil Rights
United States Environmental Protection Agency
Mail Code 1201A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

By Email – Title_VI_Complaints@epa.gov

Re: Formal Complaint - Illinois Environmental Protection Agency, A Recipient of EPA Assistance

To The Director:

Please be advised that I represent the Southeast Environmental Task Force (SETF), a not-for-profit organization dedicated to environmental education, open space preservation and pollution prevention on the southeast side of Chicago, Illinois.¹ SETF's members include several individuals who live in neighborhoods immediately adjacent to the Agri-Fine facility, located at 2701 E. 100th Street, Chicago, IL 60617. Consequently, SETF is concerned about the compliance status of this facility, the potential effects of site activities on human health and environmental quality, and government oversight of facility operations.

Please accept this letter and the enclosed material as a formal Complaint that asserts the Illinois Environmental Protection Agency, a recipient of U.S. EPA assistance, engaged in discriminatory activity. This Complaint is being filed based on Illinois EPA's failure to engage in public participation as part of its decision to issue a Lifetime Operating Permit to Agri-Fine on or about January 2, 2015.² Based on IL EPA's failure to incorporate public participation as part of this final agency action, SETF asserts IL EPA acted in violation of Title VI, Section 601 of the 1964 Civil Rights Act, IL EPA's own

¹ See: <http://setaskforce.org/> The Southeast Environmental Task Force is located at 13300 S. Baltimore Avenue, Chicago, IL 60633. SETF's Executive Director is Peggy Salazar. SETF's phone number is 773-646-0436 and its fax number is 773-646-0997

² A true and accurate copy of this permit is attached to this Complaint.

environmental justice policies and IL EPA's commitments pursuant to United States Environmental Protection Agency Administrative Complaint Number 13R-10-R5.

The basis for this Complaint is as follows.

1. The IL EPA failed to provide an opportunity for public participation as part of issuing the January 2, 2015 lifetime operating permit to Agri-Fine despite clear evidence that the community in which Agri-Fine operates is an environmental justice community. According to U.S. EPA's ECHO database, the population within a one mile radius of the Agri-Fine is 61.3% African-American and 33.24% Hispanic Origin. Within one mile of the facility, 9,063 people of a total population of 15,949 people live below the poverty level. Similarly, the population within a three mile radius of the Agri-Fine is 68.44% African-American and 25.71% Hispanic Origin. Within three miles of the facility, 60,287 people of a total population of 121,673 people live below the poverty level. According to Illinois EPA's Environmental Justice Public Participation Policy, an environmental justice community is a community with a minority and/or low-income population greater than twice the statewide average, which is clearly the case in this situation. IL EPA's permitting action occurred in an environmental justice community.

2. The IL EPA failed to provide an opportunity for public participation as part of issuing the January 2, 2015 lifetime operating permit to Agri-Fine, contrary to IL EPA's own commitments to environmental justice. These commitments are expressed in IL EPA's own guidance, and in IL EPA's obligations as part of resolving United States Environmental Protection Agency Administrative Complaint Number 13R-10-R5.

In the resolution of United States Environmental Protection Agency Administrative Complaint Number 13R-10-R5, IL EPA made a commitment to revise its environmental justice public participation policy "...so that permitting activities in areas identified as potential EJ communities will be given an appropriate level of outreach...". As part of its subsequently revised Environmental Justice Public Participation Policy, IL EPA identified a series of public participation initiatives that apply to "all permitting transactions." None of these public participation initiatives were employed in the context of the Agri-Fine permitting process:

1. There was no early and meaningful public involvement throughout the permitting process.
2. There was no determination of the appropriate outreach based on factors like the type of permit, potential impact of the project, type of source or level of interest.
3. There is no evidence the permit applicant was encouraged to meet with community stakeholders, to provide notice and information about the project or to develop a Community Relations Plan.

4. IL EPA did not provide the community with information via mailed EJ notifications.
5. IL EPA did not make or distribute fact sheets or project summaries.
6. IL EPA did not develop or publish a Public Notice.
7. IL EPA did not conduct an informational meeting or a public hearing.
8. IL EPA did not publish a draft permit for public review.
9. IL EPA did not have a public written comment period on the permit.
10. Prior to issuing the permit, IL EPA did make any effort to make information available to residents in a timely and efficient manner.

3. The IL EPA failed to provide an opportunity for public participation as part of issuing the January 2, 2015 lifetime operating permit to Agri-Fine despite a pending enforcement action in the Circuit Court of Cook County, Illinois. The Complaint in this enforcement action alleges, among other violations, that Agri-Fine released significant and harmful contaminants into the air that were documented from January, 2011 to October, 2014. These releases included air pollutants that directly affect the quality of life for residents of nearby neighborhoods.

On November 28, 2014, the Illinois Attorney General initiated a lawsuit against Agri-Fine³ in the Circuit Court of Cook County.⁴ The Plaintiff in this case is The People of the State of Illinois represented by the Illinois Attorney General ("AG"). Upon information and belief, the AG initiated this lawsuit at the request of the Illinois Environmental Protection Agency. The lawsuit alleges Agri-Fine's does not comply with several requirements that originate in the Clean Air Act, the Illinois Environmental Protection Act and/or the facility's own air permit.⁵ The specific categories of alleged violations are:

Agri-Fine released significant and harmful contaminants into the air that were documented from January, 2011 to October, 2014. These releases included air

³ Agri-Fine processes corn, soybean, cottonseed and canola soapstock to produce animal feed products. Agri-Fine utilizes an acidification process to release oil from emulsified mixture. It then adds sulfuric acid and heats the mixture to 200 degrees Fahrenheit for approximately two hours. Each batch settles overnight, during which time the oil and another product called interphase separate from the water. The oil and interphase are placed into finished storage tanks. Wastewater is treated to remove fats, oils and grease prior to discharge into the sewer system.

⁴ People of the State of Illinois, ex rel. Lisa Madigan, Attorney General of the State of Illinois v. Agri-Fine, Inc., an Illinois Corporation, In The Circuit Court of Cook County, Illinois, County Department, Chancery Division, 2014CH18557.

⁵ Air emission units at the Agri-Fine facility include rail car loading and unloading operations, numerous steam-heated primary and secondary storage tanks, a steam-heated biodiesel feedstock tank, 24 processing vats and two natural gas-fired boilers. There are also potential sources of fugitive particulate emissions including unpaved roads, conveyor systems and storage piles.

pollutants that directly affect the quality of life for residents of nearby neighborhoods.

Agri-Fine added new two industrial boilers, a steam-heated biodiesel feedstock tank and twenty-five storage tanks to its facility without first seeking and obtaining a construction permit from the IL EPA. The purpose of the construction permit is to ensure the new units will control air pollution in a legally adequate manner.

Agri-Fine operated the new boilers, the feedstock tank, loading and unloading equipment, and storage tanks without an adequate operating permit, which would include emission limits, mandate pollution controls and require monitoring, recordkeeping and reporting.

Agri-Fine operated the new boilers without providing notice to the Illinois EPA, a requirement that applies to natural-gas powered electric generating units.

Agri-Fine's emissions of hydrogen sulfide exceeded the limits in its existing operating permit in 2011 and 2012.

Agri-Fine failed to compile up-to-date information about its fugitive particulate matter emissions, and neither maintained this information itself nor reported this information to the IL EPA.

Agri-Fine failed to develop an adequate fugitive particulate matter operating program, designed to minimize releases of particulate matter into the air from sources like unpaved roads, storage piles and material conveyor systems.

The Complaint seeks monetary penalties and injunctive relief.

4. The IL EPA failed to provide an opportunity for public participation as part of issuing the January 2, 2015 lifetime operating permit to Agri-Fine despite clear evidence in IL EPA's own records regarding the potentially significant, adverse and disproportionate impact of facility emissions on the residents of an environmental justice community. In support of this grievance, SETF attaches and incorporates by reference an inventory of information in IL EPA's own records at the time that it issued the permit on January 2, 2015. These records provide compelling evidence of the effects of the permitted facility on the surrounding environmental justice neighborhood, the basis for IL EPA's ongoing concerns about facility compliance and the high level of community interest in this matter.

5. SETF attempted to resolve its Complaint by using the Illinois EPA's Environmental Justice Grievance Procedure. However, as of the date of filing this Complaint with OCR, Illinois EPA has not issued a final decision regarding SETF's grievance. Consequently, SETF is filing this Complaint with OCR to act within OCR's 180-day deadline.

I look forward to receiving OCR's confirmation of receipt of this Complaint, and to providing any additional information OCR requests as it investigates this Complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Harley". The signature is fluid and cursive, with the first name "Keith" and last name "Harley" clearly distinguishable.

Keith Harley
Attorney for the Southeast Environmental Task Force

Enc

cc:

Lisa Bonnett, Director
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Kenneth Page, Environmental Justice Officer
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/785-1705

LIFETIME OPERATING PERMIT - NSPS Source - REVISED

Agri-Fine Corporation
Attn: Ron Lullo
2701 East 100th Street
Chicago, Illinois 60617

Applicant No.: 66050044

I. D. No.: 031600FDX

Applicant's Designation:

Date Received: September 30, 2014

Subject: Soap acidulation process

Date Issued: January 2, 2015

Expiration Date: See Condition 1.

Location: 2701 East 100th Street, Chicago, Cook County, 60617

Permit is hereby granted to the above-designated Permittee to OPERATE emission source(s) and/or air pollution control equipment consisting of:

Soapstock acidulation process with scrubber includes

Twenty four (24) 15,000 gallon process reactors (R1 - R24)

Two (2) 11.9 mmBtu/hr Natural gas fired steam generators

Two (2) Sulfuric Acid Tanks (T1 (9,300 gallon) and T2 (3,900 gallon))

pursuant to the above-referenced application. This Permit is subject to standard conditions attached hereto and the following special condition(s):

- 1a. This operating permit shall expire 180 days after the Illinois EPA sends a written request for the renewal of this permit.
- b. This permit shall terminate if it is withdrawn or is superseded by a revised permit.
- 2a. The two (2) natural gas-fired steam generators (11.9 mmBtu/hr, each) are subject to a New Source Performance Standard (NSPS) for Small Industrial - Commercial - Institutional Steam Generating Units, 40 CFR Part 60 Subparts A and Dc. The Illinois EPA is administering NSPS in Illinois on behalf of the United States EPA under a delegation agreement.
- b. The Permittee shall comply with the applicable requirements of 40 CFR Part 60 Subparts A and Dc.
3. At all times, the Permittee shall, to the extent practicable, maintain and operate the above listed equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.
- 4a. No person shall cause or allow any visible emissions of fugitive particulate matter from any process, including any material handling or storage activity beyond the property line of the emission source, pursuant to 35 Ill. Adm. Code 212.301.
- b. The Permittee shall operate the source in such a way that the opacity does not exceed the limits specified in 35 Ill. Adm. Code 212.123.

Page 2

- c. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in 35 Ill. Adm. Code 212.321 (c) (35 Ill. Adm. Code 212.321).
- 5. In the event that the operation of the emission unit(s) results in an odor nuisance, the Permittee shall take appropriate and necessary actions to minimize odors, including but not limited to, changes in material or installation of controls, in order to eliminate the odor nuisance.
- 6a. Operation and emissions from the soapstock acidulation process shall not exceed the following limits:

Pollutant	Emission Factor	Emissions	
	(lbs/hr)	(Tons/Mo)	(Tons/Yr)
Hydrogen Sulfide (H ₂ S)	0.79	0.70	6.92
Sulfur Dioxide (SO ₂)	0.063	0.06	0.56
Volatile Organic Material (VOM)	1.92	1.69	16.32

These limits are based on emission factors based on testing (applicant requested twice the amount be used to calculate emission limits), maximum throughput of 212,615 tons/yr and the maximum hours of operation (8,760 hr/yr), and the application.

- b. Emissions and operation of two 11.9 mmBtu/hr natural gas-fired steam generators shall not exceed the following limits:
 - i. Natural Gas Usage: 21.0 mmscf/month, 208.5 mmscf/year.
 - ii. Emissions from the combustion of natural gas:

Pollutant	Emission Factor	Emissions	
	(lbs/mmBtu)	(Tons/Mo)	(Tons/Yr)
Carbon Monoxide (CO)	84.0	0.88	8.76
Nitrogen Oxides (NO _x)	100.0	1.05	10.42
Particulate Matter (PM)	7.6	0.08	0.79
Sulfur Dioxide (SO ₂)	0.6	0.01	0.06
Volatile Organic Material (VOM)	5.5	0.06	0.57

These limits are based on the maximum fuel usage and standard emission factors (Tables 1.4-1 and 1.4-2, AP-42, Fifth Edition, Volume I, Supplement D, July 1998).

- c. Compliance with the annual limits of this permit shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total).

Page 3

- 7a. The Permittee shall, in accordance with the manufacturer(s) and/or vendor(s) recommendations, perform periodic inspections and maintenance on the equipment covered under this permit such that the equipment be kept in proper working condition and not cause a violation of the Environmental Protection Act or regulations promulgated therein.
- b. Pollution control devices shall be in operation at all times when the associated emission unit(s) is in operation and emitting air contaminants.
8. Pursuant to 35 Ill. Adm. Code 218.301, no person shall cause or allow the discharge of more than 8 lbs/hour of organic material into the atmosphere from any emission source, except as provided in Sections 218.302, 218.303, 218.304, and the following exception: If no odor nuisance exists this limitation shall apply only to photochemically reactive material.
9. The Permittee shall maintain monthly records of the following items:
 - a. Names and amounts of raw material used (tons/month, tons/year);
 - b. VOM content of raw materials used (weight %); and
 - c. PM and VOM emissions from the source with supporting calculations (tons/month, tons/year).
10. All records and logs required by this permit shall be retained at a readily accessible location at the source for at least three years from the date of entry and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request. Any records retained in an electronic format (e.g., computer) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to the Illinois EPA request for records during the course of a source inspection.
11. If there is an exceedance of the requirements of this permit as determined by the records required by this permit, the Permittee shall submit a report to the Illinois EPA's Compliance Section in Springfield, Illinois within 30 days after the exceedance. The report shall include the emissions released in accordance with the recordkeeping requirements, a copy of the relevant records, and a description of the exceedance or violation and efforts to reduce emissions and future occurrences.
12. One (1) copy of required reports and notifications shall be sent to:

Illinois Environmental Protection Illinois EPA
Division of Air Pollution Control
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

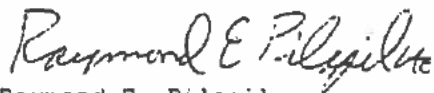
Page 4

13. Persons with lifetime operating permit must obtain a revised permit to any of the following changes at the source:
- a. An increase in emissions above the amount the emission unit or the source is permitted to emit;
 - b. A modification;
 - c. A change in operation that will result in the source=s noncompliance with a condition in the existing permit;
 - d. A change in ownership, company name, or address, so that the application or existing permit is no longer accurate.

It should be noted that the thirty-four (34) storage tanks are exempt from state permit requirements pursuant to 35 Ill. Adm. Code 201.146(n)(2).

This permit has been revised to include the operation of the twenty four process vessels and two 11.9 mmBtu/hr natural gas fired steam generators.

If you have any questions on this, please call Jocelyn Stakely at 217/785-1705.



Raymond E. Pilapil
Acting Manager of Permit Section
Division of Air Pollution Control

Date Signed: 01-02-2015

REP:JRS:jws

cc: Region 1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SETTLEMENT AGREEMENT FOR
ADMINISTRATIVE COMPLAINT NO.
13R-10-R5

I. PURPOSE

- A. This Agreement is entered into by the Illinois Environmental Protection Agency (IEPA) and the United States Environmental Protection Agency (USEPA) Office of Civil Rights (OCR) to resolve administrative complaint number 13R-10-R5, which was filed with USEPA on May 5, 2010, by Keith Harley on behalf of South Suburban Citizens Opposed to Polluting our Environment (SS-COPE) pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq. and USEPA's implementing regulations at 40 C.F.R. Part 7. By letter dated July 23, 2010, OCR accepted the complaint for investigation.
- B. The parties to this Agreement, IEPA and USEPA, are entering into a settlement, to resolve the identified issues and avoid the burdens and expense of further investigation and possible litigation. The parties' signatures on this document are evidence of their agreement to this settlement.
- C. The IEPA is committed to carrying out its responsibilities in a nondiscriminatory manner, in accordance with the requirements of Title VI and USEPA regulations at 40 C.F.R. Part 7. The activities detailed in Paragraphs III.A.1.(a)-(i) of this Agreement, which IEPA has voluntarily agreed to undertake and implement, are in furtherance of this commitment. The Director, in her capacity as an official of IEPA, has the authority to enter into this Agreement for purposes of carrying out the activities listed in the following paragraphs.

II. JURISDICTION

- A. Title VI prohibits recipients of Federal financial assistance from conducting their programs or activities in a manner that discriminates on the basis of race, color, or national origin. IEPA is a recipient of financial assistance from USEPA and is subject to the provisions of Title VI and USEPA's implementing regulations.
- B. This Agreement is entered into by USEPA pursuant to the authority granted to it under Title VI and its implementing regulations to investigate administrative complaints alleging discrimination by recipients of USEPA financial assistance and to resolve such complaints using voluntary, non-adversarial means.

III. SPECIFIC COMMITMENTS

- A. IEPA voluntarily agrees to undertake the following specific commitments with respect to permitting, public participation, and environmental justice.**
- 1. IEPA will expand the scope of its Environmental Justice Public Participation Policy (EJ PPP), as well as the activities conducted pursuant to the EJ PPP as follows:**
- a) Within (180) days of the effective date of this settlement, IEPA will revise its EJ PPP so that permitting activities in areas identified as potential EJ communities will be given an appropriate level of outreach as described below. IEPA will identify potential EJ communities using best available screening methods, which includes IEPA demographic criteria prior to any permitting activity as described in paragraph b). The Illinois EPA will implement the revised EJ PPP within (30) days of said revision.**
 - b) The revised EJ PPP shall provide for notice to the public (e.g., posting to the IEPA website, letter to community and EJ leaders, etc.) for proposed construction or operating permits that are non-administrative in nature and where the source has been issued a Violation Notice by the IEPA for any violation classified as a "High Priority Violation" under USEPA's guidance within the two years immediately preceding the proposed permit. If there is specific public interest in response to the aforementioned notice to the public, the IEPA will conduct appropriate public outreach as necessary to assure nondiscriminatory public participation in review and comment on the proposed permit, such as – but not limited to – providing a public hearing, public availability session or public meeting.**
 - c) Within (180) days of the effective date of this agreement, IEPA will post information on its website concerning grievances received pursuant to IEPA's EJ Grievance Procedure and the IEPA's response.**
 - d) Within 1 year of the effective date of this settlement, IEPA will complete the redesign of its online permit tracking system webpage to further facilitate the implementation of the EJ PPP. IEPA shall create a system that will identify all projects in potential EJ communities and notify IEPA's EJ Officer who will determine the appropriate outreach activities.**
 - e) By September 1, 2013, IEPA shall submit to USEPA and USEPA Region 5, an Interim Status Report that includes its progress relative to each term included within this settlement. The Interim Status Report shall state with specificity all actions/steps that IEPA has taken to address section III.A.1. of this agreement, associated dates, and all relevant supplemental materials**

and references indicating the status with this agreement (e.g., examples of public notice and public hearings, revised EJ PPP, etc).

- f) Within (60) days of USEPA's receipt of the Interim Report, the USEPA will review the Interim Report and provide any recommendations to IEPA.
- g) Within (90) days of IEPA's receipt of any USEPA recommendations, IEPA shall implement USEPA recommendations, or present to USEPA IEPA's alternative options for complying with the agreement, or provide a written explanation for why USEPA's recommendations are not necessary for IEPA to comply with the settlement agreement.
- h) On or before the date which is 1 year from the signing of this agreement by both parties, IEPA shall submit to USEPA and USEPA Region 5 its Final Report. The Final Report shall include IEPA's progress in meeting each term set forth in this settlement. The Final Report shall state with specificity all actions/steps that IEPA has taken to address section III.A.1. of this agreement, associated dates, and all relevant supplemental materials and references indicating the status with this agreement. IEPA may have one extension to submit this report if necessary to accomplish the tasks set forth in this settlement agreement, but such extension shall not exceed (60) days from the Final Report deadline.
- i) Once IEPA believes it has satisfied all terms and conditions of this Agreement and has submitted all necessary documentation, it shall submit a letter to the Director of OCR so stating. USEPA shall provide, within (60) days of receipt of IEPA's letter, written notice to IEPA of whether IEPA has or has not satisfied all terms and conditions of this Agreement. This Agreement shall be considered complete upon USEPA's written notice to IEPA that all terms and conditions of this Agreement have been satisfied or, if USEPA fails to respond to the letter, (90) days after USEPA received the letter.

IV. EFFECT OF AGREEMENT

- A. This Agreement does not constitute an admission by IEPA or a finding by USEPA of any violations of 40 C.F.R. Part 7 with regard to the complainants' allegations. The effect of this Agreement is to memorialize IEPA's commitment to resolve the issues raised in administrative complaint number 13R-10-R5.
- B. In consideration of IEPA's implementation of, and adherence to, the provisions of this Agreement, USEPA will close administrative complaint number 13R-10-R5. USEPA retains the right to accept and investigate any future Title VI complaints alleging discriminatory acts not contained in administrative complaint number 13R-10-R5 with respect to IEPA's programs or activities.

- C. If either IEPA or USEPA desires to modify any portion of this Agreement because of changed conditions making performance impractical or impossible, or due to material change to IEPA's or USEPA's program or authorities, or for other good cause, the party seeking a modification shall promptly notify the other in writing, setting forth the facts and circumstance justifying the proposed modification. Any modification(s) to this Agreement shall take effect only upon written agreement by the Director of IEPA and the Director of OCR at USEPA.
- D. This Agreement constitutes the entire Agreement between IEPA and USEPA regarding the matters addressed herein, and no other statement, promise, or Agreement, made by any other person shall be construed to change any commitment or term of this Agreement, except as specifically agreed to by IEPA and the USEPA. Additionally, this Agreement is a public document. A copy of this Agreement and any information contained in it may be made available to any person by IEPA or USEPA on request under the Freedom of Information Act or otherwise.
- E. If USEPA determines that IEPA has not satisfied a term or condition of this Agreement, or if a submission provided by IEPA under this Agreement lacks sufficient detail for USEPA to make the determination, USEPA shall promptly notify IEPA of that determination in writing. If the parties are unable to reach a mutually agreeable resolution regarding USEPA's determination, USEPA may reinstitute its administrative process consistent with 40 C.F.R. Part 7.
- F. This Agreement does not affect IEPA's continuing responsibility to comply with Title VI of the Civil Rights Act of 1964 and USEPA's implementing regulations, nor does it affect USEPA's responsibility to investigate any allegations in Title VI complaints against IEPA other than those addressed herein. Furthermore, this Agreement does not address any matter not specifically covered by the terms of this Agreement, nor does it constitute a finding that the actions to be taken herein by themselves will absolve IEPA from further actions to ensure compliance with Title VI or 40 C.F.R. Part 7.

The effective date of this Agreement is the date on which the parties affix their signatures below. This Agreement may be signed in counterparts. The Director of IEPA and the Director of OCR at USEPA have the authority to enter into this Agreement on behalf of their agencies.

V. CONTACTS

For purposes of this settlement the points of contact for IEPA and USEPA are listed as follows:

IEPA

Chris Pressnall
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544
chris.pressnall@illinois.gov

USEPA

Helena Wooden-Aguilar
Assistant Director
USEPA-OCR (External Civil Rights)
(Mail Code 1201A), 1200 Pennsylvania Avenue N.W.,
Washington D.C. 20460
(202) 564-0792
wooden-aguilar.helena@epa.gov

VI. NOTICE

Where notice is required by this Settlement, by certified mail, each signatory to this settlement should use the following address for:

IEPA

Director Lisa Bonnett
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-3397

FOR EPA

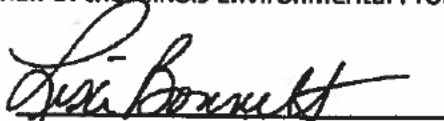
Acting Director, USEPA Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue N.W., Washington D.C. 20460

And

Director, USEPA Region 5 Office of Enforcement and Compliance Assurance (OECA)(Mail Code E-19J), 77 West Jackson Boulevard, Chicago, Ill. 60604

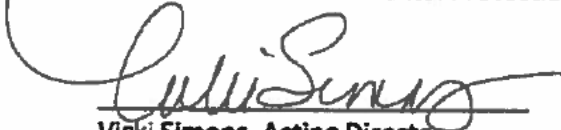
SIGNATURES

On behalf of the Illinois Environmental Protection Agency,


Lisa Bonnett Date

4/4/13

On behalf of the U.S. Environmental Protection Agency,


Vicki Simons, Acting Director
Office of Civil Rights

4/8/13
Date

ENVIRONMENTAL JUSTICE PUBLIC PARTICIPATION POLICY

I. TITLE: Environmental Justice Public Participation Policy

II. PURPOSE: The purpose of this policy is to explain the Illinois Environmental Protection Agency's (Illinois EPA or Agency) approach to involving the public in communities located in areas identified as potential Environmental Justice (EJ) areas by the Illinois EPA¹ in accordance with the Agency's EJ policy (www.epa.state.il.us/environmental-justice/policy.html), the Illinois EPA EJ Public Participation Procedure² and the Illinois EPA Environmental Justice Start tool³. The Illinois EPA's EJ public participation policy predominately addresses public outreach in the context of permitting transactions but can be applied likewise to additional Illinois EPA matters, including enforcement actions or remediation projects.

III. RESPONSIBLE PERSON: The Environmental Justice Officer shall have the primary responsibility for coordinating all EJ efforts on behalf of the Illinois EPA and shall act as the spokesperson for the Illinois EPA on EJ. The Office of Community Relations will have a lead role in preparing the EJ public participation plans, establishing local repositories and conducting community meetings. The Bureaus and the Office of Community Relations will coordinate on the preparation and issuance public notices and fact sheets. Projects with significant public interest will require the Office of Community Relations and the bureaus to work together in preparing public hearing notices and fact sheets.

The EJ Officer is the contact person for citizens and communities in potential EJ areas. The EJ Officer will serve as a liaison between the citizen or community and the relevant Illinois EPA personnel to seek resolution of any EJ issues.

IV. COVERED ACTIVITIES

¹ "For the purposes of this document, a "potential" EJ community is a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community."

² The Illinois EPA EJ Public Participation Procedure is the Agency's internal procedure for conducting outreach activities.

³ The Illinois EPA EJ Start tool is an internal computer based geographic and demographic tool utilized by the Agency to determine whether a given source is in or near a potential EJ area.

A. Permitting transactions.

1. Illinois EPA's EJ public participation policy applies to all permitting transactions.
2. Illinois EPA is committed ensuring appropriate level of outreach as discussed below if the source involved in the permitting transaction is a High Priority Violator per USEPA guidance or is the subject of an enforcement action (i.e., has been referred to a prosecutorial agency such as the Illinois Attorney General's Office).

B. Remediation Projects in the Bureau of Land (except for projects covered by the Superfund Community Involvement Policy).

C. Complaint Investigations

1. Illinois EPA will timely respond to complaints from EJ communities.
2. Illinois EPA will apprise complainants of the results of the investigations including providing copies of inspection reports and any correspondence, such as a Violation Notice, sent to the source of concern .

D. Enforcement

1. Much of the enforcement process consists of confidential communications between the Illinois EPA, the Attorney General's Office, and the alleged violator. However, the Division of Legal Counsel will determine what types of enforcement decisions can be communicated to the public, when and how.
2. Illinois EPA will continue to solicit ideas for the Supplemental Environmental Project Bank for EJ Communities.
3. Databases of ongoing enforcement cases and compliance histories are available on-line at www.epa.state.il.us/enforcement/orders/.

V. COMMUNITY OUTREACH PROCEDURES

- A. An effective public participation strategy emphasizes early and meaningful public involvement throughout the permitting process.
- B. The Illinois EPA will determine the appropriate outreach, if any, based on, among other considerations, the type of permit, potential impact of the project, type of source and level of interest.
- C. Each Bureau will review all permit applications and other actions identified herein to determine whether the action will take place in a defined EJ area as determined by the Illinois EPA EJ Start tool.

D. Public participation options in potential EJ areas

1. Community Outreach

- a. For permitting transactions, Illinois EPA will encourage the permit applicant(s) to meet with community stakeholders to promote open dialogue early in the permitting process for appropriate permitting actions. As discussed below, preferably initial public outreach occurs prior to the submission of a permit application.
 - i. In such cases, the applicant(s) will be encouraged to provide notice to residents located in and around a defined EJ area about the pending permit application and the proposed project, and to provide basic information about the project to interested residents.
 - ii. The applicant(s) are encouraged to develop a Community Relations Plan to structure ongoing dialogue with neighboring communities.
- b. Illinois EPA will provide the community with information regarding proposed projects via EJ notifications, which are mailed to community leaders, public officials, environmental groups, concerned citizens and the affected source.
- c. Illinois EPA will make fact sheets available on the Agency's webpage or via a link from the Agency's webpage when appropriate. Written information will be made available for persons without internet access when requested.
- d. Public Notices will be written in terminology and languages easily understood by the majority of readers, except where specific public notice language is otherwise required. When required, notices will be placed in legal notice sections or other sections of local publications.

2. Public Meetings

- a. Informational meetings – The Illinois EPA and/or the source may hold an informational meeting or availability session.
 - i. For permitting transactions, the purpose of the meeting is to inform the residents in and around a potential EJ Area of the scope and nature of the project in a timely, interactive manner and explain the permitting process. Informational meetings

may be held prior to a public hearing or may be held when a public hearing is not required.

- ii. Informational meetings may also be held to explain enforcement related matters, remediation projects or other Illinois EPA activities that are of concern to the public.

- b. Public hearings – The Illinois EPA will make a good faith effort to provide an interpreter when it is known that residents do not speak English very well or when the Illinois EPA receives a request for an interpreter within two weeks of any public hearing or meeting and when the need for an interpreter is adequately justified.

3. Fact Sheet and Project Summary

- a. Illinois EPA will provide a plain language summary of the major aspects of the proposed project, including the purpose and location of the proposed activity and facility, and any anticipated environmental impacts, and any controls or work practices that will limit those impacts.
- b. As appropriate, the Illinois EPA will translate fact sheets into the predominate language of the community if it is not English.

4. Document Availability

- a. The Illinois EPA will take every effort to make information available to residents in potential EJ Areas in a timely and efficient manner.
- b. The Illinois EPA may create document repositories, place information on the Internet and provide information through the Illinois Freedom of Information Act.

IN THE CIRCUIT COURT FOR COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT; CHANCERY DIVISION

FILED - 1
2014 NOV 18 PM 12:05
CIRCUIT COURT FOR COOK COUNTY
CLERK

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney
General of the State of Illinois,

Plaintiff,

v.

AGRI-FINE, INC.,
an Illinois corporation,

Defendant.

No.

2014CH18557
CALENDAR/ROOM 06
TIME 00:00
Injunction

COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES

The PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency ("Illinois EPA"), complains of the Defendant, AGRI-FINE, INC., an Illinois corporation, as follows:

COUNT I

AIR POLLUTION

1. This Count is brought on behalf of the People of the State of Illinois, *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois EPA, against Defendant Agri-Fine, Inc., an Illinois corporation (the "Defendant"), pursuant to the terms and provisions of Sections 42(d) and (e) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/42(d) and (e) (2012).

2. The Illinois EPA is an administrative agency of the State of Illinois, created by

Section 4 of the Act, 415 ILCS 5/4 (2012), and charged, inter alia, with the duty of enforcing the Act.

3. At all times relevant to this Complaint, the Defendant has been and is an Illinois corporation, operating at 2701 East 100th Street, Chicago, Cook County, Illinois (the "Site"). Residential neighborhoods are located approximately one block to the west and ½ mile to the east of the Site.

4. At all times relevant to this Complaint, the Defendant has processed corn, soybean, cottonseed and canola soapstock to produce animal feed products. Soapstock consists of approximately 60% water and 40% oil. At all times relevant to this Complaint, the Defendant has utilized an acidulation process to release the oil from emulsified mixture. The Defendant adds sulfuric acid and heats the mixture to 200 degrees Fahrenheit for approximately two hours. The Defendant allows each batch to settle overnight, during which time the oil and an intermediate product, interphase, separates from the water. The Defendant places the oil and interphase into finished product tanks, and further processes any wastewater to remove fats, oils and grease prior to discharge to a sanitary sewer.

5. Emission units at the Site include rail car loading and unloading operations, numerous steam-heated primary and secondary storage tanks, a steam-heated biodiesel feedstock tank, 24 processing vats controlled by a scrubber and two natural gas-fired boilers.

6. Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), provides as follows:

No person shall:

- (a) Cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to

violate regulations or standards adopted by the Board under this Act.

7. Section 201.141 of the Illinois Pollution Control Board's ("Board") Air Pollution Regulations, 35 Ill. Adm. Code 201.141, provides as follows:

No person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois, or so as to violate the provisions of this Chapter, or so as to prevent the attainment or maintenance of any applicable ambient air quality standard.

8. Section 3.315 of the Act, 415 ILCS 5/3.315 (2012), provides as follows:

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

9. The Defendant is a "person" as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2012).

10. Section 3.165 of the Act, 415 ILCS 5/3.165 (2012), provides as follows:

"Contaminant" is any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.

11. Section 3.115 of the Act, 415 ILCS 5/3.115 (2012), provides as follows:

"Air pollution" is the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

12. On various dates between January 31, 2011 and October 30, 2014, and such other dates better known to Defendant, odors from the Defendant's operations discharged or emitted

from the Site into the surrounding neighborhood, which caused residents to (a) have difficulty breathing, headaches and nausea and (b) not be able to be outside in their yards or neighborhood.

13. Odors from the Defendant's operations constitute a "contaminant" as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.165 (2012).

14. The discharge or emission of such odors from the Site that unreasonably interfered with residents enjoyment of life and/or property constitutes "air pollution," as that term is defined in Section 3.115 of the Act, 415 ILCS 5/3.115 (2012).

15. By causing, threatening or allowing the discharge or emission of odors into the environment so as to cause air pollution, the Defendant violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 201.141 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.141.

16. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 201.141 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

2. Enjoining the Defendant from any further violations of Section 9(a) of the Act,

415 ILCS 5/9(a) (2012), and Section 201.141 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 201.141 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as this Court deems appropriate and just.

COUNT II

FAILURE TO OBTAIN A CONSTRUCTION PERMIT AND PAY APPLICATION FEE

1-10. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 5, 8 through 11 and 13 of Count I as paragraphs 1 through 10 of this Count II.

11. Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), provides, in pertinent part, as follows:

No person shall:

* * *

b. Construct, install, or operate any equipment, facility, vehicle, vessel, or aircraft capable of causing or contributing to air

pollution or designed to prevent air pollution, of any type designated by Board regulations, (1) without a permit granted by the Agency . . . or (2) in violation of any conditions imposed by such permit.

12. Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142, provides:

No person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source or air pollution control equipment, without first obtaining a construction permit from the Agency, except as provided in Sections 201.146 or Section 201.170(b) of this Part.

13. Section 9.12 of the Act, 415 ILCS 5/9.12 (2012), provides, in pertinent part, as follows:

- (a) An applicant for a new or revised air pollution construction permit shall pay a fee, as established in this Section, to the Agency at the time that he or she submits the application for a construction permit.

* * *

- (j) If the owner or operator undertakes construction without obtaining an air pollution construction permit, the fee under this Section is still required. Payment of the required fee does not preclude the Agency or the Attorney General or other authorized persons from pursuing enforcement against the applicant for failure to have an air pollution construction permit prior to commencing construction.

14. In 2007, and on such dates better known to the Defendant, the Defendant constructed two natural gas-fired boilers, a steam-heated biodiesel feedstock tank and twenty-four (24) fiberglass storage tanks at the Site, without first obtaining a construction permit from the Illinois EPA, in violation of Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142.

15. In 2007, and on such dates better known to the Defendant, the Defendant constructed two natural gas-fired boilers, a steam-heated biodiesel feedstock tank and twenty-four (24) fiberglass storage tanks at the Site without paying the required construction permit fees, in violation of Section 9.12(j) of the Act, 415 ILCS 5/9.12(j) (2012).

16. By violating Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142, the Defendant also violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012).

17. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), Section 9.12(j) of the Act, 415 ILCS 5/9.12(j) (2012), and Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142;

2. Enjoining the Defendant from any further violations of Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), Section 9.12(j) of the Act, 415 ILCS 5/9.12(j) (2012), and Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142;

3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(b) of the Act, 415

ILCS 5/9(b) (2012), Section 9.12(j) of the Act, 415 ILCS 5/9.12(j) (2012), and Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142;

4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as this Court deems appropriate and just.

COUNT III

FAILURE TO OBTAIN AN OPERATING PERMIT

1-11. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 5, 8 through 11 and 13 of Count I and paragraph 11 of Count II as paragraphs 1 through 11 of this Count III.

12. Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143, provides:

No person shall cause or allow the operation of any new emission source or new air pollution control equipment of a type for which a construction permit is required by Section 201.142 without first obtaining an operating permit from the Agency, except for such testing operations as may be authorized by the construction permit. . . .

13. In 2007, and on such dates better known to the Defendant, the Defendant operated rail car loading and unloading, numerous primary and secondary storage tanks, twenty four (24) processing vats controlled by a scrubber, a steam-heated biodiesel feedstock tank and two natural

gas-fired boilers without first obtaining an operating permit from the Illinois EPA in violation of Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143.

14. By violating Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143, the Defendant also violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012).

15. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143;

2. Enjoining the Defendant from any further violations of Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143;

3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143;

4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as this Court deems appropriate and just.

COUNT IV

FAILURE TO SUBMIT NOTIFICATION REGARDING NATURAL GAS-FIRED BOILERS

1-11. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 5, 8 through 11 and 13 of Count I and paragraph 14 of Count II as paragraphs 1 through 11 of this Count IV.

12. Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2012), provides, in pertinent part:

(d) No person shall:

- (1) violate any provisions of Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, or federal regulations adopted pursuant thereto; or
- (2) construct, install, modify or operate any equipment, building, facility, source or installation which is subject to regulation under Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, except in compliance with the requirements of such Sections and federal regulations adopted pursuant thereto, and no such action shall be undertaken (A) without a permit granted by the Agency . . . or (B) in violation of any conditions imposed by such permit. Any denial of such a permit or any conditions imposed in such a permit shall be reviewable by the Board in accordance with Section 40 of

this Act.

13. Section 111 of the Clean Air Act establishes the New Source Performance Standards ("NSPS"). The NSPS regulations are codified in Title 40, Part 60 of the Code of Federal Regulations ("NSPS Regulations"). The Illinois EPA administers the NSPS for subject sources in Illinois pursuant to a delegation agreement with the United States Environmental Protection Agency ("USEPA").

14. The NSPS Regulations governing Fossil-Fuel-Fired Steam Generators are found in Subpart D of Title 40, Part 60. Section 60.48c(a) of the Code of Federal Regulations, 40 C.F.R. 60.48c(a), provides, in pertinent part, as follows:

- (a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup. . . .

15. Section 60.2 of the Code of Federal Regulations, 40 C.F.R. 60.2, provides the following definition:

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

16. The two natural gas-fired boilers at the Site constitute an "affected facility" as that term is defined in Section 60.2 of the Code of Federal Regulations, 40 C.F.R. 60.2.

17. The Defendant failed to submit notification to the Illinois EPA of the date of construction and actual startup of the two natural gas-fired boilers in violation of Section 60.48c(a) of the NSPS Regulations, 40 C.F.R. 60.48c(a), thereby violating Section 9.1(d)(1) of the Act, 415 ILCS 5/9.1(d)(1) (2012).

18. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably

injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9.1(d)(1) of the Act, 415 ILCS 5/9(d)(1) (2012), and Section 60.48c(a) of the NSPS Regulations, 40 C.F.R. 60.48c(a);
2. Enjoining the Defendant from any further violations of Section 9.1(d)(1) of the Act, 415 ILCS 5/9(d)(1) (2012), and Section 60.48c(a) of the NSPS Regulations, 40 C.F.R. 60.48c(a);
3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9.1(d)(1) of the Act, 415 ILCS 5/9(d)(1) (2012), and Section 60.48c(a) of the NSPS Regulations, 40 C.F.R. 60.48c(a);
4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;
5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and
6. Granting such other relief as this Court deems appropriate and just.

COUNT V

OPERATING PERMIT VIOLATION

1-11. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 5, 8 through 11 and 13 of Count I and paragraph 11 of Count II as paragraphs 1 through 11 of this Count V.

12. On May 10, 1996, the Illinois EPA issued an Operating Permit for Smaller Source to the Defendant for the Site numbered 86050044 ("Operating Permit No. 86050044").

13. Condition 2 of Operating Permit No. 86050044 provides, in pertinent part, as follows:

Emissions of sulfur dioxide and hydrogen sulfide shall not exceed 0.6 and 0.3 tons/year, respectively. These limits are based on the maximum emission rate (0.3 lb/hr sulfur dioxide and 0.16 lb/hr hydrogen sulfide) and the maximum hours of operation (5,824 hr/yr).

14. In 2011 and 2012, and on such dates better known to the Defendant, emissions of hydrogen sulfide at the Site were at or higher than 1.77 tons/year, thereby violating Condition 2 of Operating Permit No. 86050044.

15. By violating Condition 2 of Operating Permit No. 86050044, the Defendant also violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012).

16. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of

Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Condition 2 of Operating Permit No. 86050044;
2. Enjoining the Defendant from any further violations of Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Condition 2 of Operating Permit No. 86050044;
3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(b) of the Act, 415 ILCS 5/9(b) (2012), and Condition 2 of Operating Permit No. 86050044;
4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;
5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and
6. Granting such other relief as this Court deems appropriate and just.

COUNT VI

FAILURE TO KEEP, MAINTAIN AND SUBMIT RECORDS REGARDING FUGITIVE PARTICULATE MATTER EMISSION UNITS

1-11. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 6, 8 through 11 and 13 of Count I as paragraphs 1 through 11 of this Count VI.

12. Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g), provides, in pertinent part, as follows:

g) Recordkeeping and Reporting

- 1) The owner or operator of any fugitive particulate matter emission unit subject to this Section shall keep written records of the application of control measures as may be needed for compliance with the opacity limitations of this Section and shall submit to the Agency an annual report containing a summary of such information.
- 2) The records required under this subsection shall include at least the following:
 - A) The name and address of the source;
 - B) The name and address of the owner and/or operator of the source;
 - C) A map or diagram showing the location of all emission units controlled, including the location, identification, length, and width of roadways;
 - D) For each application of water or chemical solution to roadways by truck: the name and location of the roadway controlled, application rate of each truck, frequency of each application, width of each application, identification of each truck used, total quantity of water or chemical used for each application and, for each application of chemical solution, the concentration and identity of the chemical;
 - E) For application of physical or chemical control agents: the name of the agent, application rate and frequency, and total quantity of agent and, if diluted, percent of concentration, used each day; and
 - F) A log recording incidents when control measures were not used and a statement of explanation.

* * *

- 4) The records required under this Section shall be kept and maintained for at least three (3) years and shall be available for inspection and copying by Agency representatives during working hours.

- 5) A quarterly report shall be submitted to the Agency stating the following: the dates any necessary control measures were not implemented, a listing of those control measures, the reasons that the control measures were not implemented, and any corrective actions taken. This information includes, but is not limited to, those dates when controls were not applied based on a belief that application of such control measures would have been unreasonable given prevailing atmospheric conditions, which shall constitute a defense to the requirements of this Section. This report shall be submitted to the Agency thirty (30) calendar days from the end of a quarter. Quarters end March 31, June 30, September 30, and December 31.

13. Unpaved roads and the parking area at the Site owned by the Defendant constitute fugitive particulate matter emission units.

14. The Defendant has failed to (a) keep and maintain any records of its fugitive particulate matter emission units for at least three years and (b) submit any annual and quarterly reports regarding its fugitive particulate matter emission units, thereby violating Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g).

15. By violating Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g), the Defendant also violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012).

16. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of the pertinent environmental statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests

that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g);

2. Enjoining the Defendant from any further violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g);

3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Section 212.316(g) of the Board's Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.316(g);

4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as this Court deems appropriate and just.

COUNT VII

FAILURE TO AMEND AND MAINTAIN A CURRENT FUGITIVE PARTICULATE MATTER OPERATING PROGRAM

1. This Count is brought on behalf of the People of the State of Illinois, *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion, against the Defendant, pursuant to the terms and provisions of Sections 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2012).

2-7. Plaintiff realleges and incorporates by reference herein paragraphs 3 through 6 and 8 through 9 of Count I as paragraphs 2 through 7 of this Count VII.

8. Section 212.309(a) of the Illinois Pollution Control Board's regulations for fugitive particulate matter (the "Board Fugitive Particulate Matter Regulations"), 35 Ill. Adm. Code 212.309(a), provides as follows:

a) The emission units described in Sections 212.304 through 212.308 and Section 212.316 of this Subpart shall be operated under the provisions of an operating program, consistent with the requirements set forth in Sections 212.310 and 212.312 of this Subpart, and prepared by the owner or operator and submitted to the Agency for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions.

9. Sections 212.304(a) entitled "Storage Piles," 212.305 entitled "Conveyor Loading Operations," 212.306 entitled "Traffic Areas," and 212.308 entitled "Spraying or Choke-Feeding Required" of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.304(a), 212.305, 212.306, and 212.308, provide, in pertinent part, as follows:

212.304(a) All storage piles of materials with uncontrolled emissions of fugitive particulate matter in excess of 45.4 Mg per year (50 T/yr) which are located within a source whose potential particulate emissions from all emission units exceed 90.8 Mg/yr (100 T/yr) shall be protected by a cover or sprayed with a surfactant solution or water on a regular basis, as needed, or treated by an equivalent method, in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

212.305 All conveyor loading operations to storage piles specified in

Section 212.304 of this Subpart shall utilize spray systems, telescopic chutes, stone ladders or other equivalent methods in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

212.306 All normal traffic pattern access areas surrounding storage piles specified in Section 212.304 of this Subpart and all normal traffic pattern roads and parking facilities which are located on mining or manufacturing property shall be paved or treated with water, oils or chemical dust suppressants. All paved areas shall be cleaned on a regular basis. All areas treated with water, oils or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program required by Sections 212.309, 212.310 and 212.312 of this Subpart.

212.308 Crushers, grinding mills, screening operations, bucket elevators, conveyor transfer points, conveyors, bagging operations, storage bins and fine product truck and railcar loading operations shall be sprayed with water or a surfactant solution, utilize choke-feeding or be treated by an equivalent method in accordance with an operating program.

10. At all times relevant to this Complaint, the Defendant maintained normal traffic pattern roads (unimproved roads) and parking facilities at the Site as covered by Section 212.306 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.306, thereby requiring the Defendant to operate pursuant to a fugitive particulate matter operating program in accordance with Section 212.309 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.309.

11. Section 212.310 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.310, provides as follows:

As a minimum the operating program shall include the following:

- a) The name and address of the source;
- b) The name and address of the owner or operator responsible for execution of the operating program;
- c) A map or diagram of the source showing approximate

- locations of storage piles, conveyor loading operations, normal traffic pattern access areas surrounding storage piles and all normal traffic patterns within the source;
- d) Location of unloading and transporting operations with pollution control equipment;
- e) A detailed description of the best management practices utilized to achieve compliance with this Subpart, including an engineering specification of particulate collection equipment, application systems for water, oil chemicals and dust suppressants utilized and equivalent methods utilized;
- f) Estimated frequency of application of dust suppressants by location of materials; and
- g) Such other information as may be necessary to facilitate the Agency's review of the operating program.

12. Section 212.312 of the Board Fugitive Particulate Matter Regulations, 35 Ill.

Adm. Code 212.312, provides as follows:

The operating program shall be amended from time to time by the owner or operator so that the operating program is current. Such amendments shall be consistent with this Subpart and shall be submitted to the Agency for its review.

13. Between November 11, 1985 and September 10, 2014, the fugitive particulate matter operating program for the Site was a three-page Operating Program for Fugitive Particulate Control, a true and correct copy of which is attached hereto as Exhibit 1 (the "Fugitive Dust Plan").

14. The Fugitive Dust Plan did not, among other things, (a) provide a current map or diagram showing approximate locations of storage piles, conveyor loading operations, normal traffic pattern access areas surrounding storage piles and all normal traffic patterns within the Site; (b) provide a detailed description of the Site's best management practices; (c) set forth the estimated frequency of application of dust suppressants by location of materials; (d) indicate the location of unloading and transporting operations with pollution control equipment; (e) indicate a

person or persons in a managerial position that is responsible for ensuring that particulates are adequately controlled; and (f) delineate ways to evaluate control measures.

15. Between November 11, 1985 and September 10, 2014, the Defendant did not amend the Site's fugitive particulate matter operating program and did not submit an amended operating program to the Illinois EPA for review.

16. By failing to maintain a complete fugitive particulate matter operating program, amend the operating program to reflect current operations at the Site and submit an amended operating program to the Illinois EPA for review, the Defendant violated Sections 212.310 and 212.312 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.310 and 212.312, and thereby also violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012).

17. Plaintiff is without an adequate remedy at law. Plaintiff will be irreparably injured and violations of pertinent environmental statutes and regulations will continue unless this Court grants equitable relief in the form of permanent injunctive relief.

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this honorable Court enter a preliminary and, after trial, a permanent injunction in favor of Plaintiff and against the Defendant, AGRI-FINE, INC., as follows:

1. Finding that the Defendant has violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Sections 212.310 and 212.312 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.310 and 212.312;

2. Enjoining the Defendant from any further violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Sections 212.310 and 212.312 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.310 and 212.312;

3. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2012), and Sections 212.310 and 212.312 of the Board Fugitive Particulate Matter Regulations, 35 Ill. Adm. Code 212.310 and 212.312;

4. Assessing against the Defendant a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

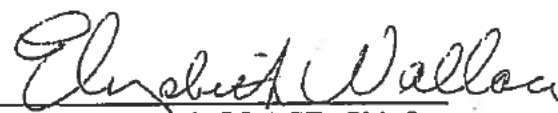
5. Ordering the Defendant to pay all costs, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including any attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as this Court deems appropriate and just.

PEOPLE OF THE STATE OF ILLINOIS,

ex rel. LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 
ELIZABETH WALLACE, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:
Kathryn A. Pamenter
Assistant Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
(312) 814-0608

EXHIBIT 1

STATE OF ILLINOIS
 ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF AIR POLLUTION CONTROL
 2200 CHURCHILL ROAD
 SPRINGFIELD, ILLINOIS 62706

COPY

OPERATING PROGRAM FOR FUGITIVE PARTICULATE CONTROL
REQUIRED BY RULE 203(F)(2) through (4).

1. Name of Facility: AGRI-FINE CORP.
 Street Address: 2701 E. 100TH ST.
 City: CHICAGO
 Township: _____ County: COOK Zip Code: 60617

2. Name of Owner or Operator: JAMES D. HOELZEMAN
 Address of Owner or Operator: 2701 E. 100TH ST.
CHICAGO, IL. 60617

3. Submit a scale map showing all storage piles, conveyor loading operations, storage pile access roads, normal traffic roads, parking facilities, location of unloading and transporting operations with pollution control equipment.

4. Do storage piles contain a total of more than 260,000 tons of material in any calendar year? Yes ☒ No

Normally storage piles of this size or greater are likely to emit 50 tons per year or more particulates.

5. If answer to item #4 is yes, please submit the following information:

a) Total amount of material in storage piles: 0 tons

b) Submit attached sheets describing:

i) Detailed operating procedures and control methods by which fugitive particulates from these storage piles will be minimized during loading, unloading, pile maintenance, and wind erosion. How often will these piles be treated with surfacting agent? Name the type and concentration of surfactant that will be used.

ii) Type of control methods used for fugitive particulate emissions from conveyor loading operations and normal traffic pattern roads serving these storage piles. If surfacting agent is used state type and concentration of surfacting agent and frequency of its use.

iii) Type of control methods used for fugitive particulate emissions from all paved or unpaved parking lots and normal traffic pattern roads at this facility. If roads are paved indicate footage of roads that will be paved and how frequently these roads will be cleaned.

6. Does this facility have any of the following sources?

For each source marked yes, attach additional sheet describing the type of control methods that will be used to control fugitive particulate emissions. If surfactant is used state the type and concentration of surfactant and frequency of its application. If the roads and parking lots are paved, state the frequency of cleaning.

- | | | |
|-------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| a) Crushers | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b) Grinding Mills | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c) Screening Operations | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d) Bucket Elevators | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e) Conveyors | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f) Conveyor transfer points | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| g) Bagging Operations | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| h) Storage Bins | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| i) Fine Product truck and trailer loading operations | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| j) Unloading and transporting operations of materials collected by pollution control equipment. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| k) Unpaved normal traffic roads | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| l) Paved normal traffic roads | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| m) Unpaved parking lots | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| n) Paved parking lots | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

7. Vehicular Miles Travel Information: This information is to be determined by number of cars times distant travel for following roads:

- i) Traffic on unpaved normal traffic roads in 5 miles per year.
 ii) Traffic on paved normal traffic roads in miles per year.
 iii) Traffic on unpaved parking lots 3 miles per year.
 iv) Traffic on paved parking lots miles per year.

8. Is this fugitive particulate control program implemented at present? (Please note that the Rule 203(f) requires that this program should be implemented by 12/31/82). ☒ Yes ☐ No

KEEP ONE COPY FOR YOUR FILES AND RETURN TWO COPIES TO: BHARAT MATHUR,
 MANAGER AIR PERMITS AT ADDRESS GIVEN ON THE FIRST PAGE.

AUTHORIZED SIGNATURE(S)

BY

James D. Hoelzeman DATE 11-11-85

JAMES D. HOELZEMAN

TYPED OR PRINTED NAME OF SIGNER

PRESIDENT

TITLE OF SIGNER



AGRI-FINE CORP.

2701 EAST 100th ST. • CHICAGO, IL 60617

(312) 978-5130

Control method used is water, which is applied
twice weekly by a fire hose.

IL EPA; FOIA Request Summary**Index of Documents**

1/14/1994	031600FDK-001	Agri-Fine	IEPA Annual Emissions Report – 1993
1/5/1995	031600FDK-002	Agri-Fine	IEPA Annual Emissions Report – 1994
1/3/1996	031600FDK-003	Agri-Fine	IEPA Annual Emissions Report – 1995
1/2/1997	031600FDK-004	Agri-Fine	IEPA Annual Emissions Report – 1996
12/3/2001	031600FDK-005	Agri-Fine	IEPA Annual Emissions Report – 2001
12/10/2002	031600FDK-006	Agri-Fine	IEPA Annual Emissions Report – 2002
12/5/2003	031600FDK-007	Agri-Fine	IEPA Annual Emissions Report – 2003
12/28/2004	031600FDK-008	Agri-Fine	IEPA Annual Emissions Report – 2004
12/13/2005	031600FDK-009	Agri-Fine	IEPA Annual Emissions Report – 2005
11/28/2006	031600FDK-010	Agri-Fine	IEPA Annual Emissions Report – 2006
12/6/2006	031600FDK-011	Agri-Fine	IEPA Annual Emissions Report – 2007
12/1/2008	031600FDK-012	Agri-Fine	IEPA Annual Emissions Report – 2008
11/30/2009	031600FDK-013	Agri-Fine	IEPA Annual Emissions Report – 2009
11/16/2010	031600FDK-014	Agri-Fine	IEPA Annual Emissions Report – 2010
11/29/2011	031600FDK-015	Agri-Fine	IEPA Annual Emissions Report – 2011
4/15/2013	031600FDK-016	Agri-Fine	IEPA Annual Emissions Report – 2012
4/17/2014	031600FDK-017	Agri-Fine	IEPA Annual Emissions Report – 2013
1996 - 2013	031600FDK-018	Agri-Fine	Document collection
2014	031600FDK-019	Agri-Fine	Investigation Reports
8/21/2014	031600FDK-020	Agri-Fine	IEPA Complaint Record
9/4/2014	031600FDK-021	Agri-Fine	IEPA Complaint Record
11/18/2014	031600FDK-022	Agri-Fine	IEPA Complaint Records and Review
1/29/2014	031600FDK-023	Agri-Fine	Correspondence - Permit Denial (Letter)
1/29/2014	031600FDK-024	Agri-Fine	Correspondence - Notice of Incompleteness
12/19/2014	031600FDK-025	Agri-Fine	Correspondence - Permit Denial (Letter)

1/2/2015	031600FDK-026	Agri-Fine	Lifetime Operating Permit
1/29/2014	031600FDK-027	Agri-Fine	Correspondence - Complete Permit Denial
Jan, May 2013	031600FDK-028	Agri-Fine	IEPA violator classification from
10/23/2013	031600FDK-029	Agri-Fine	Correspondence - Violation Notice
April, 2011	031600FDK-030	Agri-Fine	Correspondence - Email for information request
6/15/2012	031600FDK-031	Agri-Fine	Invoice - Annual Site Fee 2012
6/15/2013	031600FDK-032	Agri-Fine	Invoice - Annual Site Fee 2013
6/15/2014	031600FDK-033	Agri-Fine	Invoice - Annual Site Fee 2014
3/4/2015	31600FDK exempt	IEPA	Exempt Document List
IL EPA FOIA Production - March 4, 2015			
1/14/1994	031600FDK-001	Agri-Fine	IEPA Annual Emissions Report – 1993
<ul style="list-style-type: none"> • 3 Page Document, Report received April 29, 1994, Documenting Allowable, IEPA Estimate, and Source Emissions from Agri-Fine's facility for 1993 • Emissions reported are CO, NOX, and SO2 • Includes previous year's data; however, zeros are show in all categories – probably unreported • 1993 Source data not filled in – further documents indicate IEPA estimated data was used instead • Page three lists two operating permits. Veg. Oil Acidulation permit marked Denied, Soybean Soapstock acidulation permit expires 6/5/96 			
1/5/1995	031600FDK-002	Agri-Fine	IEPA Annual Emissions Report – 1994
<ul style="list-style-type: none"> • Report received Feb 14, 1995; Documents source emissions for 1994 • Report indicates same pollutants as above, still under the allowable rates • 1994 emissions number exactly the same in tons per year as in 1993 • Same permits listed on third page 			
1/3/1996	031600FDK-003	Agri-Fine	IEPA Annual Emissions Report – 1995
<ul style="list-style-type: none"> • Report received March 5, 1996; Documents source emissions for 1995 • Report indicates same pollutants as above, still under the allowable rates • 1995 emissions number exactly the same in tons per year as previous years • Permit page missing 			

1/2/1997	031600FDK-004	Agri-Fine	IEPA Annual Emissions Report – 1996
<ul style="list-style-type: none"> • Report received April 25, 1997; Documents source emissions for 1996 • 1996 estimates missing, exact same source numbers as previous years • Same permits listed; however, expiration date on granted permit is removed • Fourth page: letter from Agri-Fine in re permit/1986 permit application 			
12/3/2001	031600FDK-005	Agri-Fine	IEPA Annual Emissions Report – 2001
<ul style="list-style-type: none"> • Report received May 1, 2002; Documents source emissions for 2001 • CO, NOX, SO2 emissions for 2001 and 2002 still exactly the same as previous reports • Added reporting for PART, PM10, and VOM; marked n/a for 2002 • Equipment listings added to report • Change in Soybean Soapstock Acidulation permit from 'operating' to 'lifetime' 			
12/10/2002	031600FDK-006	Agri-Fine	IEPA Annual Emissions Report – 2002
<ul style="list-style-type: none"> • Report received May 1, 2003; Documents source emissions for 2002 • All previous emissions still the same • Added reporting for NH3 • Emissions remain under designated limits 			
12/5/2003	031600FDK-007	Agri-Fine	IEPA Annual Emissions Report – 2003
<ul style="list-style-type: none"> • Received April 30, 2004 • All previous emission numbers the same • Emissions remain under designated limits 			
12/28/2004	031600FDK-008	Agri-Fine	IEPA Annual Emissions Report – 2004
<ul style="list-style-type: none"> • Received April 14, 2005 • Added reporting for H2S and PM2.5 • Source report matches IEPA estimates exactly for each pollutant except CO – one decimal place off • CO emission limit increased. • Emissions under designated limits 			
12/13/2005	031600FDK-009	Agri-Fine	IEPA Annual Emissions Report – 2005
<ul style="list-style-type: none"> • Received February 6, 2006 • Report and IEPA estimation again exactly the same (same CO discrepancy as 009) 			

<ul style="list-style-type: none"> Emissions under designated limits 			
11/28/2006	031600FDK-010	Agri-Fine	IEPA Annual Emissions Report – 2006
<ul style="list-style-type: none"> Received April 16, 2007 The source report numbers have changed! Each is under IEPA estimates, but by small increments and close to the old number Emissions remain under designated limits 			
12/6/2006	031600FDK-011	Agri-Fine	IEPA Annual Emissions Report – 2007
<ul style="list-style-type: none"> Received August 4, 2008 Added CO2, Methane, and N2O to report; marked N/A, future report used estimate Again, small shift in source reports; also, the particle emissions entry for 2006 do not match up with the last report Emissions remain under designated limits 			
12/1/2008	031600FDK-012	Agri-Fine	IEPA Annual Emissions Report – 2008
<ul style="list-style-type: none"> Received July 23, 2009 Still marked N/A for CO2, Methane and N2O Emissions remain under designated limits 			
11/30/2009	031600FDK-013	Agri-Fine	IEPA Annual Emissions Report – 2009
<ul style="list-style-type: none"> Received May 3, 2010 Similar to last report Acidulation tanks and steam generators added to equipment list Emissions reported for 2008 remain under designated limits 			
11/16/2010	031600FDK-014	Agri-Fine	IEPA Annual Emissions Report – 2010
<ul style="list-style-type: none"> Received stamp date illegible Similar to last report Emissions reported for 2009 remain under designated limits 			
11/29/2011	031600FDK-015	Agri-Fine	IEPA Annual Emissions Report – 2011
<ul style="list-style-type: none"> Received June 14, 2012 Emissions reported for 2010 remain under designated limits 			
4/15/2013	031600FDK-016	Agri-Fine	IEPA Annual Emissions Report – 2012

<ul style="list-style-type: none"> Received June 11, 2013 Emissions reported for 2011 are in excess of allowable limits for CO (18% over), H2S (280% over), NH3 (1167% over), and VOM (2,445% over) 			
1/15/2013 (?)	031600FDK-017	Agri-Fine	IEPA Annual Emissions Report – 2013
<ul style="list-style-type: none"> Received April 25, 2014 15 pages; documentation includes fuel consumption data, scrubber emissions, monthly emissions breakdown, and quarterly soapstock production Emissions reported for 2012 are in excess of allowable limits for CO (57% over), H2S (288% over) and VOM emissions 			
1996 - 2013	031600FDK-018	Agri-Fine	Document Collection
<ul style="list-style-type: none"> 28 Page document, including: Tier II Inspection and report, Inspected May 24, 2013 <ul style="list-style-type: none"> Description of Soapstock Production states 'City of Chicago took Agri-Fine to court' Open storage system showed evaporation and odor. No permit application in 2007, for new boilers. No permit application for new fiberglass vats. citing recommendation (9(a)) Violated emissions of H2S Investigator's intra-agency recommendation 4 recorded complaints <ul style="list-style-type: none"> Odors (Putrid, foul) E-mail in re: complaints 6 annotated images of facility (From inside facility) EPA region 5 request for information from Agri-Fine (1/27/2011) Department of Health Inspector's Narrative (4/17/2013) <ul style="list-style-type: none"> Foul Odor issued 7/28/080 nuisance and atmospheric pollution (for odor) Permit to operate both boilers dated May 10, 1996 			
2014	031600FDK-019	Agri-Fine	Investigation Reports
<ul style="list-style-type: none"> 23 Page Document including: Tier II inspection, dated June 3, 2014; Includes 'Odor Surveillance' <ul style="list-style-type: none"> pH adjusted before sewer disposal "strong, putrid odor"; "Nasty"; "Bad Odor"; "Pungent" Odor summary table 11 "mister pipes" spraying mist Previous Agri-Fine contact handling odor reduction, no longer is employed 			

<ul style="list-style-type: none"> Investigator's recommendations <ul style="list-style-type: none"> Recommended 9(a) violation IEPA complaint and incident record <ul style="list-style-type: none"> smells like a "slaughterhouse or animal processing" Weather history records for day(s) of investigations Photos from surrounding area 			
8/21/2014	031600FDK-020	Agri-Fine	IEPA Complaint Record
<ul style="list-style-type: none"> One page incident report, in re: odor <ul style="list-style-type: none"> "foul, putrid odor"; "affects our community" Reviewed Nov 17, 2014 			
9/4/2014	031600FDK-021	Agri-Fine	IEPA Complaint Record
<ul style="list-style-type: none"> One page incident report, in re: odor Reviewed Nov 17, 2014 			
11/18/2014	031600FDK-022	Agri-Fine	IEPA Complaint Records and Review
<ul style="list-style-type: none"> 3 detailed incident reports, incidents ranging from August to October of 2014 <ul style="list-style-type: none"> "VOMIT" "smells like FECES"; "I thought my dog pooped in my house!" "Can't go outside because the odor is very bad." Final disposition: referred to AGO 			
1/29/2014	031600FDK-023	Agri-Fine	Correspondence - Permit Denial (Letter)
<ul style="list-style-type: none"> IEPA construction application permit denial <ul style="list-style-type: none"> due to possible 35 Ill. Adm. Code 201.142 violation 			
1/29/2014	031600FDK-024	Agri-Fine	Correspondence - Notice of Incompleteness
<ul style="list-style-type: none"> IEPA letter requesting more information from Agri-Fine in re: operating permit for boilers Incomplete pursuant to 35 Ill. Adm. Code 201.158 <ul style="list-style-type: none"> 201.157 201.160 201.169 			
12/19/2014	031600FDK-025	Agri-Fine	Correspondence - Permit Denial (Letter)

- IEPA construction application permit denial
 - possible 35 Ill. Adm. Code 201.142 violation

1/2/2015

031600FDK-026

Agri-
Fine

Lifetime Operating Permit

- Outlines conditions for operation of Scrubber, 24 vats, 2 natural gas boilers, and 2 sulfuric acid tanks in relation to soapstock acidulation
- Increases Tons of emission per year rate with regards to H₂S, SO₂ and VOM
- Issued January 2, 2015. I.D. # 031600FDK
 - Small industrial; 40 CFR 60 (A) & (Dc)
 - Soapstock Limits
 - Hydrogen Sulfide (H₂S) = .79 (lbs/hr) or 6.92 (Tons/Yr)
 - Sulfur Dioxide (SO₂) = .063 (lbs/hr) or .56 (Tons/Yr)
 - Volatile Organic Material (VOM) = 1.92 (lbs/hr) or 16.32 (Tons/Yr)
 - Natural Gas emission Limits
 - Carbon Monoxide (CO) = 84 (lbs/hr) or 8.76 (Tons/Yr)
 - Nitrogen Oxides (NO_x) = 100 (lbs/hr) or 10.42 (Tons/Yr)
 - Particulate Matter (PM) = 7.6 (lbs/hr) or .79 (Tons/Yr)
 - Sulfur Dioxide (SO₂) = .6 (lbs/hr) or .06 (Tons/Yr)
 - Volatile Organic Material (VOM) = 5.5 (lbs/hr) or .57 (Tons/Yr)
 - 34 Storage tanks are exempt, pursuant to 35 Ill. Adm. Code 201.146(n)(2)
 - Includes 24 process vessels & two 11.9 mmBtu/hr natural gas fired steam generators.

1/29/2014

031600FDK-027

Agri-
Fine

Correspondence - Complete Permit
Denial

- 13 pages, consisting of:
- Permit Denial
 - 35 Ill. Adm. Code 201.142 possible violation
- Permit Application review/worksheet
- Notice of Violation of Illinois Environmental Protection Act to Agri-fine stamped Oct 23, 2013
 - 425 ILCS 5/31(a)(1) violation
- 9 Violations listed
 - emissions of odor
 - failed to obtain construction permits for 2 boilers
 - failed to register for the Smaller Sources program (ROSS)
 - failed to pay construction permit
 - failed to obtain operating permit
 - exceeded emissions of H₂S
 - failed to notify anticipated startup of boilers
 - failed to submit annual and quarterly reports
 - failed to document and maintain records

Jan, May 2013	031600FDK-028	Agri-Fine	IEPA violator classification from
<ul style="list-style-type: none"> Identifies Agri-Fine as 1b class violator for NSPS boilers and exceeding emissions Notice of violations to Agri-Fine. 			
10/23/2013	031600FDK-029	Agri-Fine	Correspondence - Violation Notice
<ul style="list-style-type: none"> IEPA violation notice to Agri-Fine Violations <ul style="list-style-type: none"> release of odor failure to obtain construction permit failure to register Smaller Sources program (ROSS) failure to pay construction permit failure to obtain an operation permit exceeding emissions limits (H2S) Failure to submit construction/startup notification failure to submit annual/quarterly reports failed to document and maintain required records (35 Ill. Adm. Code 212.31(g)(2)) Recommendations to IEPA 			
april, 2011	031600FDK-030	Agri-Fine	Correspondence - Email for Information request
<ul style="list-style-type: none"> E-mail and letter in re: intent to test Andrew Rubio (Agri-Fine) notifies IEPA of finalizing details of compliance test protocol 			
6/15/2012	031600FDK-031	Agri-Fine	Invoice - Annual Site Fee 2012
<ul style="list-style-type: none"> Letter to Agri-Fine in re: Air Pollution Control fee invoice 			
6/15/2013	031600FDK-032	Agri-Fine	Invoice - Annual Site Fee 2013
<ul style="list-style-type: none"> Letter to Agri-Fine in re: Air Pollution Control fee invoice 			
6/15/2014	031600FDK-033	Agri-Fine	Invoice - Annual Site Fee 2014
<ul style="list-style-type: none"> Letter to Agri-Fine in re: Air Pollution Control fee invoice 			

From: [Facebook](#)
To: [Title VI Complaints](#)
Subject: Reminder: [REDACTED] invited you to join Facebook...
Date: Monday, June 29, 2015 7:29:30 PM

facebook

(b) (6) Privacy wants to be your friend on Facebook. No matter how far away you are from friends and family, Facebook can help you stay connected.

Other people have asked to be your friend on Facebook. Accept this invitation to see your previous friend requests



(b) (6) Privacy

Flint, Michigan
25 friends

[Accept Invitation](#)

[Go to Facebook](#)

This message was sent to title_vi_complaints@epa.gov. If you don't want to receive these emails from Facebook in the future or have your email address used for friend suggestions, please [unsubscribe](#).
Facebook, Inc., Attention: Department 415, PO Box 10005, Palo Alto, CA 94303

From: [REDACTED]
To: [Shorewood Heights Manager](#); [REDACTED]
Cc: [Title VI Complaints](#); jimmi.serfling@mercergov.org; graf@pinnaclefamily.com; bruce.bassett@mercergov.org; customerservice@kingcounty.gov; secretary@doh.wa.gov
Subject: Re: Flood Issue | Shorewood Hights | EPA + Water Quality Issues
Date: Thursday, June 18, 2015 5:33:38 PM
Attachments: [water quality on 6.18.2015.jpg](#)

Since we were moved to (b) (6) we've had flea infestation - before we even moved in (b) (6) r scolding issues, and drinking water issues. Here's the latest. Please see the water quality for yourselves!

=====

To Shorewood Heights Manager:

Our shower water and tap water are completely unsanitary and I'm sure by not fixing this you are putting my wife's my new born babies and my life in extreme danger. I have now come to the office 3 times and indicated water issues and attaching a sample of the water captured in a bottle. This is a continuation of the piping and water issue we've notified you since February that resulted in our relocation to a different unit which you refuse to address.

Who is in charge here?

I need this addressed today. But since you've known this I doubt you'll fix this. Who do I escalate this to?

Btw, there is also no notice about the water quality being bad. We've been drinking this water and we did notify you of the chemical odors. You've not fixed this issue.

Do I continue drinking this?

(b) (6) Privacy
(b) (6) Privacy
(b) (6) Privacy

From: (b) (6)
To: "Title VI Complaints@epa.gov"
Cc: (b) (6)
Sent: Monday, March 2, 2015 3:04 PM
Subject: Fw: Flood Issue | Shorewood Hights | EPA

Hello:

We need your help please.

M [REDACTED] t at [REDACTED]
(b) (6) Privacy (b) (6) Privacy (b) (6) Privacy (b) (6) Privacy (b) (6) Privacy
(b) (6) Privacy (b) (6) Privacy (b) (6) Privacy (b) (6) Privacy (b) (6) Privacy
(b) (6) Privacy was [REDACTED]
e of the plumbing. The incident happened on Sat.
2/21/2015, 7:15pm and it took 45 minutes for the maintenance crew to arrive and City of Mercer Island 9-1-1 fire engine had to be called to shut the main water valve.

The water has flooded our entire bathroom, part of our living

room hallway, part of our bedroom as well as closet spaces and all the spacing between the carpet and water seeped through the floor - inside the layers of wood - from 3rd story down to the first story as well as the stairways. The level of water was knee high and the force of water caused a major damage to our personal belongings.

My pregnant wife and I who are expecting soon, went Tuesday 2.24.2015 to our unit to get some of our pots, pans and cooking oil when we both began:

- o Started having headaches

- o Difficulty breathing

- o Skin rashes among other ailments (this is 4 days after the initial flood).

- o The unit is not safe for anyone to be living in there - especially a newborn.

- *** Plus we're concerned about the structural viability of the building since the neighbors have told us this is the second time that this complex has flooded in the last 2 months. There's water marks from the 3rd floor all the way down to the 2nd floor and water had seeped all the way to the first floor of the building. Again, water

level was
knee high in
our bathroom
when the
flood
happened.

Due to
building
structural
issues, mold
issues, air
quality
issues as
well as
sanitary
issues -
where toilet
water was
involved in
the leak,
whereby
water borne
issues are
too numerous
to mention
here - we
would like
to request
your help in
giving us a
peace of
mind
assurance -
in writing
that it is
now safe to
return to
our
apartment.

Here's the
address of
the
offending
party:

(b) (6) Privacy
(b) (6) Privacy
(b) (6) Privacy
(b) (6) Privacy
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(b) (6) Privacy
(b) (6) Privacy

We look forward to your response and we much appreciate you taking the time from your very busy schedule to consider this environmental concern.

(b) (6) Privacy
(b) (6) Privacy
(b) (6) Privacy

From: [REDACTED]
To: [Title VI Complaints](#)
Subject: Your unruly driver
Date: Thursday, June 04, 2015 8:21:37 AM

Heading east bound on Horace Harding expy at queens blvd intersection. Your Toyota Prius car number (b) (6) traveling east bound proceeded at the green light and forcefully tried to take my lane then pulled up next to me and made a crude remark "learn how to drive chink". Your employee needs to be disciplined.
I'm really upset about this I hope the rest of your employees aren't so unmannered

(b)
(6)

From: [REDACTED]
To: [REDACTED] Shorewood Heights Manager; secretary@doh.wa.gov; [REDACTED]
Cc: [Title VI Complaints](mailto:Title_VI_Complaints@epa.gov); jimmi.serfling@mercergov.org; bruce.bassett@mercergov.org; customerservice@kingcounty.gov
Subject: Re: Flood Issue | Shorewood Hights | EPA + Water Quality Issues
Date: Thursday, June 18, 2015 6:11:15 PM
Attachments: [water quality on 6.18.2015.jpg](#)

We are requesting a formal inquiry from our government on this both the City as well as the State!

I should also add that we've been washing baby bottles and my wife has been drinking from the water. Her entire body was trembling last night and our baby is sick - was up all night. It's a 9 day old infant. We were wondering why it is now we know it's because our drinking water is poisoning us.

Why is the water quality so bad and it's making us sick! Please address this asap. No one should be drinking this water.

I'm also 'cc'ing the City of Mercer Island & the Secretary of Dept of Health for WA to look into this matter.

Our patience has run out you are putting our lives and our health in danger! Please address this asap. We cannot afford to jeopardize our lives - this is a repeat offense (multiple times) and you are in direct violation of our lease agreement.

We deserve clean drinking water!

(b) (6) Privacy
(b) (6) Privacy
(b) (6) Privacy

From: (b) (6)
To: Shorewood Heights Manager; (b) (6)
Cc: "Title_VI_Complaints@epa.gov"; "jimmi.serfling@mercergov.org"; (b) (6) Privacy"; "bruce.bassett@mercergov.org"; "customerservice@kingcounty.gov"; "secretary@doh.wa.gov"
Sent: Thursday, June 18, 2015 2:33 PM
Subject: Re: Flood Issue | Shorewood Hights | EPA + Water Quality Issues

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To Shorewood Heights Manager:

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To: "Title VI Complaints@epa.gov"
Cc: (b) (6)
Sent: Monday, March 2, 2015 3:04 PM
Subject: Fw: Flood Issue | Shorewood Hights | EPA

Hello:

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Due to building structural issues, mold issues, air quality issues as well as sanitary issues – where toilet water was involved in the leak, whereby water borne issues are too numerous to mention here – we would like to request your help in giving us a peace of mind assurance - in writing that it is now safe to return to our apartment.

Here's the address of the offending party:

Shorewood Heights
Apartments

(b) (6) Privacy

(b) (6) Privacy

(b) (6)
Privacy)
(b) (6)
Privacy)
(b) (6)
Privacy)

We look forward to
your response and
we much
appreciate you
taking the time
from your very
busy schedule to
consider this
environmental
concern.

Thank you!

(b) (6) Privacy
(b) (6) Privacy



From: [Facebook](#)
To: [Title VI Complaints](#)
Subject: Reminder: [REDACTED] invited you to join Facebook...
Date: Wednesday, June 17, 2015 12:12:22 AM

facebook

(b) (6) Privacy wants to be your friend on Facebook. No matter how far away you are from friends and family, Facebook can help you stay connected.

Other people have asked to be your friend on Facebook. Accept this invitation to see your previous friend requests



(b) (6) Privacy

11 friends

[Accept Invitation](#)

[Go to Facebook](#)

This message was sent to title_vi_complaints@epa.gov. If you don't want to receive these emails from Facebook in the future or have your email address used for friend suggestions, please [unsubscribe](#).
Facebook, Inc., Attention: Department 415, PO Box 10005, Palo Alto, CA 94303

From: [European Dredging Summit 2015](#)
To: [Title VI Complaints](#)
Subject: [SPAM] Latest Developments & Innovations in Dredging Technologies & Techniques
Date: Wednesday, June 03, 2015 9:37:03 AM

Share



Having trouble viewing this e-mail? [View it in your browser](#)



Join ACI's [European Dredging Summit](#), which will take place on 7th-8th of October 2015 in Antwerp and hear world leading experts examine "Latest Developments & Innovations in Dredging Technologies & Techniques", focusing on:

- Innovative technologies
- Types of dredging vessels
- High-tech dredging equipment

Our Expert Speakers Include:

Bernard Malherbe

Director Project Development and Conceptual Design

Jan De Nul NV

Charles H. Johnson

Director of Sales

DSC Dredge, LLC



Alternatively, [click here](#) to request agenda and we will send you a copy by email.



**Register before 30th June
and pay only £1,310 (ex.VAT)
instead of £1,495 (ex.VAT).**



Confirmed Speakers Include:

Paris Sansoglou, *Secretary General*, **European Dredging Association**

Khalid Bichou, *Managing Director*, **K Bichou & Associates Ltd**

Edward De Broe, *Chief Engineer*, Dredging Department, **Antwerp Port Authority**

EUDA members are entitled to an additional 5% discount on registration – simply quote **MDR1EUDA** to claim.
For further information or to

Bernard Malherbe, *Director Project Development and Conceptual Design*, **Jan De Nul NV**
 Stefaan Ides, *Research Engineer Infrastructure Department, Research & Development Division*, **Antwerp Port Authority**
 Michael Costaras, *Group Manager, Dredging*, **HR Wallingford**
 Lucien Halleux, *Director*, **G-TEC S.A.**
 Charles Johnson, *Director of Sales*, **DSC Dredge**
 Hopeton Delisser, *Vice President of Harbours & Port Services*, **Port Authority of Jamaica**



or contact [Mado Lampropoulou](#)
 on +44 (0) 203 141 0607

Speaking Opportunities:

If you would like to be considered as a speaker for the event with a 30-45 minute presentation, please submit an abstract for consideration to:

[Agnieszka Niemczewska](#)
 Tel: +48 6164 670 45

Commercial and Sponsorship Opportunities:

If you would like to inquire about commercial & sponsorship opportunities, please contact:

[Kristina Mayar](#)
 Tel: +44 (0) 20 3141 0636

Exclusive Site Visit: APEC-Antwerp/Flanders Port Training Center, DEME Headquarters, Antwerp City Hall, 6th October

13.30-13.40: Welcome by Mr Paul Verkoyen, CEO of APEC-Antwerp/Flanders Port Training Center

13.40-14.00: Brief introduction on the Port of Antwerp by Mr Luc Arnouts, CCO of the Antwerp Port Authority

14.00-14.30: Transfer to DEME

14.30-16.30: Welcome at DEME presentation on dredging projects and maintenance dredging

16.30-17.00: Transfer to the City Hall

17.00-17.50: Reception with a welcome at the City Hall by Mr Marc van Peel, Vice Mayor of the city of Antwerp, Chairman of the Antwerp Port Authority and Chairman of APEC-Antwerp/Flanders Port Training Center

17.50: Transfer to the hotel

register your attendance,
 please contact
[Mado Lampropoulou](#)
 on +44 (0) 20 3141 0607

Site Visit: The Port of Antwerp

During the afternoon of **Tuesday 6th October 2015**, a limited number of conference attendees* will have the unique opportunity to visit the **APEC-Antwerp/Flanders Port Training Center, DEME Headquarters, Antwerp City Hall.**

* There is no extra charge to join the site visit, but spaces are limited and allocated on first come first served basis. Please register your attendance when booking for the summit.

Key Topics

How Are Recent Regulatory Changes Affecting Dredging Projects?

Effective Sediment Balance & Waste Management

Latest Developments & Innovations in Dredging Technologies & Techniques

Effective Maintenance Dredging

Strategies for Trade-Type Dredging Projects

Qualified Human Resources Training & Development

Economic Outlook of the Future Dredging Projects (Europe, Global)

Project Financing & Budget Management

Who Will Attend?

Port Authorities, Harbour Masters, Port Managers, Bulk Terminals Managers, Project Owners, Local Authorities, Government Officials, Environmental Managers, Approvals Managers, Marine Engineers, Geotechnical Engineers, Infrastructure Managers, Operations Managers, Port Engineers, Hydrographic Surveyors/ Geologists, Civil/ Environmental Engineers, Consulting Engineers, Dredging Contractors, Dredging Technology Providers, Managing Director, Director General, Dredging Managers, Project Managers, Civil/Dredging Managers & Engineers, Civil Contractors, Service Providers, Equipment Manufacturers/Suppliers.



ACI (Europe) 5/13 Great Suffolk Street
www.wplgroup.com | [Mado Lampropoulou](#)
For More Information : +44 (0) 203 141 0607
[Click here](#) to unsubscribe

5/13 Great Suffolk Str.
London, SE1 0NS
United Kingdom



From: [REDACTED]
Subject: [SPAM] URGENT RESPONSE
Date: Monday, June 01, 2015 12:51:22 AM

Dear ,

Good day. I know this mail will come to you as a surprise but I need to contact you because of the urgency and confidentiality of this business transaction. I am (b) (6) Privacy of the Nigerian National Petroleum Corporation (NNPC).

I have a deal here in my office I need a foreign partner to execute with me. I and my colleague over invoiced a contract payment valued US\$15million. We awarded contracts for the supply and maintenance of all the oil pipelines and oil drilling equipments for the nation oil wells to some foreign contractors valued US\$103billion, which we over invoiced US\$15million addition to the total contract sum.

Now as a matter of fact, most of the contractors have been paid and the remaining contractor's payments are under process to be paid to them. With that, I and my colleague have decided to include you among these remaining contractors to process the sum of the US\$15Million in your company or in your name to claim it for our mutual benefit. So i am now contacting you to present you as the sub-contractor who has this amount of US\$15million to be paid for the supply of heavy oil drilling equipments used in recent overhauling of the refineries.

I will advice you furnish me with your personal information including your personal cell phone number and the name of your company with address to enable me register it with our cooperate affairs commission in charge of allied and companies registration as an indigenous company.

It is mandatory that any foreign company must be registered in this country. Also with your acceptance to execute this business with me, I need to be sure of your confidentiality towards the conclusion of this deal. You will be given 30% of the total amount, 5% mapped out for re-fund of expenses incurred by any of the parties, while I and my colleague will take 65% once the money gets into your company account in your country. Also with my position here, I can officially arrange with you to be lifting 2 or 4million barrels of Crude Oil per month by getting a year or two years crude Oil allocation contract in your name and company name whether you are here or now. I will detail you more on this once I get your response.

Kindly contact me on this my private telephone number: + (b) (6) Privacy or my private e-mail:

(b) (6) Privacy

Thank you and hope to hear from you as soon as possible.

Best Regards

(b) (6)

Chief Account Officer (N.N.P.C)

From: [REDACTED]
To: [Title VI Complaints](#)
Subject: Chemicals in septic
Date: Friday, June 12, 2015 12:14:47 PM

Hi,

I was wondering how I can resolve the issue of chemicals that been dumped into my septic by cleaning company? I had fire in vault room and my AAA insurance company handling the repairs and cleaning, AAA called CleanRite BuildRite to clean my house and they have used vortex machine to clean it. The second day they showed up they bring two vans with vortex machines and emptied them into my septic system without my consent, didn't even bother to close the sewer cap. I talked to another companies and they stated that 3-4 houses usually get cleaned before they drain the vortex machines and they use 5-10 different chemicals depending on structures they clean. I have vegetation like oranges and grapes that feed from it. I have full septic of chemicals now and not sure if I can consume the fruits anymore. One of my plants are died and other is sick, please advise what can I do? Thank you.

(b) (6)

(b) (6) Privacy (b) (6) Privacy

(b) (6)

P i

From: [Facebook](#)
To: [Title VI Complaints](#)
Subject: Check out [REDACTED] photos on Facebook.
Date: Friday, June 12, 2015 10:54:40 PM

facebook



Check out (b) [REDACTED] photos on Facebook.
(6)

If you sign up for Facebook, you'll be able to stay connected with friends by seeing their photos and videos, staying up to date with their latest status updates, exchanging messages and more.

[Join Liz on Facebook](#)

This message was sent to title_vi_complaints@epa.gov. If you don't want to receive these emails from Facebook in the future or have your email address used for friend suggestions, please [unsubscribe](#).
Facebook, Inc., Attention: Department 415, PO Box 10005, Palo Alto, CA 94303

From: [REDACTED]
To: [Title VI Complaints](#)
Subject: Complaint
Date: Tuesday, June 09, 2015 5:38:29 PM

To Whom it May Concern:

I am needing to make a very serious complaint on behalf of a couple different facilities including myself. Is there any way to keep the complaint confidential and anonymous?

Thank you for your time concerning this matter.

(b) (6) Privacy

From: [REDACTED]
To: [Title VI Complaints](#)
Subject: Good afternoon
Date: Thursday, June 11, 2015 6:51:15 PM

There's a pool that the water is green and no one has clean it and I don't want to have my neighborhood fill with mosquitos

Sent from my Fire

From: [REDACTED]
To: [REDACTED] Shorewood Heights Manager; secretary@doh.wa.gov; [REDACTED]
Cc: [Title VI Complaints](mailto:Title_VI_Complaints@epa.gov); [REDACTED] customerservice@kingcounty.gov
Subject: RE: Shorewood Heights
Date: Monday, June 22, 2015 2:12:40 PM

(b) (6)

I remember you contacting the City earlier this year about the flooding. Violation of a lease is a private, civil matter between landlord/tenant. The City of Mercer Island cannot act as your legal agent.

Our Building Official may only act in the capacity of a witness. You may contact (b) (6) at (b) (6) to speak with him.

Seattle Public Utilities provides the water to Shorewood Heights. You may need to speak with the Seattle Public Utilities regarding water quality.

I sense this is a difficult, scary and frustrating situation for you. King County has resources and information available regarding landlord/tenant issues and they may be able to assist you further.

Thank you,

(b) (6) Privacy

Code Compliance Officer

(b) (6)

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: (b) (6) Privacy(b) (6) Privacy(b) (6) Privacy

Sent: Thursday, June 18, 2015 3:11 PM

To: (b) (6) Shorewood Heights Manager; secretary@doh.wa.gov; (b) (6) Privacy

Cc: Title_VI_Complaints@epa.gov; (b) (6) Privacy (b) (6) Privacy
customerservice@kingcounty.gov

Subject: Re: Flood Issue | Shorewood Hights | EPA + Water Quality Issues

We are requesting a formal inquiry from our government on this both the City as well as the State!

I should also add that we've been washing baby bottles and my wife has been drinking from the water. Her entire body was trembling last night and our baby is sick - was up all night. It's a 9 day old infant. We were wondering why it is now we know it's because our drinking water is poisoning us.

Why is the water quality so bad and it's making us sick! Please address this asap. No one should be drinking this water.

I'm also 'cc'ing the City of Mercer Island & the Secretary of Dept of Health for WA to look into this matter.

Our patience has run out you are putting our lives and our health in danger! Please address this asap. We cannot afford to jeopardize our lives - this is a repeat offense (multiple times) and you are in direct violation of our lease agreement.

We deserve clean drinking water!

(b) (6) Privacy

(b) (6) Privacy

From: (b) (6) Privacy(b) (6) Privacy

To: (b) (6) Privacy(b) (6) Privacy(b) (6) Privacy(b) (6) Privacy (b) (6)

(b) (6) Privacy

Cc: "Title_VI_Complaints@epa.gov" <Title_VI_Complaints@epa.gov>; "jimmi.serfling@mercergov.org" <jimmi.serfling@mercergov.org>; (b) (6) Privacy(b) (6) Privacy(b) (6) Privacy
"bruce.bassett@mercergov.org" <bruce.bassett@mercergov.org>; "customerservice@kingcounty.gov"

<customerservice@kingcounty.gov>; "secretary@doh.wa.gov" <secretary@doh.wa.gov>

Sent: Thursday, June 18, 2015 2:33 PM

Subject: Re: Flood Issue | Shorewood Hights | EPA + Water Quality Issues

Since we were moved to (b) (6) we've had flea infestation - before we even moved in, water scolding issues, and drinking water issues. Here's the latest. Please see the water quality for yourselves!

To Shorewood Heights Manager:

Our shower water and tap water are completely unsanitary and I'm sure by not fixing this you are putting my wife's my new born babies and my life in extreme danger. I have now come to the office 3 times and indicated water issues and attaching a sample of the water captured in a bottle. This is a continuation of the piping and water issue we've notified you since February that resulted in our relocation to a different unit which you refuse to address.

Who is in charge here?

I need this addressed today. But since you've known this I doubt you'll fix this. Who do I escalate this to?

Btw, there is also no notice about the water quality being bad. We've been drinking this water and we did notify you of the chemical odors. You've not fixed this issue.

Do I continue drinking this?

(b) (6) Privacy

(b) (6) Privacy

From: (b) (6) Privacy(b) (6) Privacy

To: "Title VI Complaints@epa.gov" <Title_VI_Complaints@epa.gov>

Cc: (b) (6) Privacy(b) (6) Privacy >

Sent: Monday, March 2, 2015 3:04 PM

Subject: Fw: Flood Issue | Shorewood Hights | EPA

Hello:

We need your help please.

My apartment at (b) (6) Privacy(b) (6) Privacy(b) (6) Privacy(b) (6) Privacy, was flooded due to aging buildings and unkept maintenance of the plumbing. The incident happened on Sat. 2/21/2015, 7:15pm and it took 45 minutes for the maintenance crew to arrive and City of Mercer Island 9-1-1 fire engine had to be called to shut the main water valve.

The water has flooded our entire bathroom, part of our living room hallway, part of our bedroom as well as closet spaces and all the spacing between the carpet and water seeped through the floor – inside the layers of wood - from 3rd story down to the first story as well as the stairways. The level of water was knee high and the force of water caused a major damage to our personal belongings.

My pregnant wife and I who are expecting soon, went Tuesday 2.24.2015 to our unit to get some of our pots, pans and cooking oil when we both began:

- o Started having headaches**
- o Difficulty breathing**
- o Skin rashes among other ailments (this is 4 days after the initial flood).**
- o The unit is not safe for anyone to be living in there – especially a newborn.**

***** Plus we're concerned about the structural viability of the building since the neighbors have told us this is the second time that this complex has flooded in the last 2 months. There's water marks from the 3rd floor all the way down to the 2nd floor and water had seeped all the way to the first floor of the building. Again, water level was knee high in our bathroom when the flood happened.**

Due to building structural issues, mold issues, air quality issues as well as sanitary issues – where toilet water was involved in the leak, whereby water borne issues are too numerous to mention here – we would like to request your help in giving us a peace of mind assurance - in writing that it is now safe to return to our apartment.

Here's the address of the offending party:

(b) (6) Privacy(b) (6) Privacy
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(b) (6) Privacy(b) (6) Privacy

We look forward to your response and we much appreciate you taking the time from your very busy schedule to consider this environmental concern.

Thank you!

(b) (6) Privacy
(b) (6) Privacy

From: [REDACTED]
To: [REDACTED] [Shorewood Heights Manager](#)
Cc: jimmi_serfling@mercergov.org; [REDACTED] bruce.bassett@mercergov.org; customerservice@kingcounty.gov; secretary@doh.wa.gov; [Title VI Complaints](#)
Subject: Re: Apt 160 - Burnt Scalp in the shower
Date: Thursday, June 18, 2015 5:24:15 PM
Attachments: [image1.JPG](#)

To Shorewood Heights Manager:

Our shower water and tap water are completely unsanitary and I'm sure by not fixing this you are putting my wife's my new born babies and my life in extreme danger. I have now come to the office 3 times and indicated water issues and attaching a sample of the water captured in a bottle. This is a continuation of the piping and water issue we've notified you since February that resulted in our relocation to a different unit which you refuse to address.

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Do I continue drinking this?

(b) (6)
(b) (6)


On Apr 22, 2015, at 10:16 AM, (b) (6) Privacy(b) (6) Privacy wrote:

Hi (b) (6),
Private

The fridge works as expected and so does the washer and dryer.

Thank you!

(b)
(6)

From: Shorewood Heights Manager <ShorewoodHeightsMgr@pinnacleliving.com>

To: [REDACTED]

Sent: Wednesday, April 22, 2015 9:34 AM

Subject: Re: Apt 160 - Burnt Scalp in the shower

Hi [REDACTED]

I am terribly sorry to hear the issue is continuing. I will let my crew know to not come out on Friday. I'm at a loss, I feel we have tried everything with your water problem. Is the fridge and washing machine better at least?

I hope all else is okay,

Thank you,

[REDACTED]
[REDACTED]

Pinnacle

Shorewood Heights

3209 Shorewood Drive

Mercer Island, WA 98040

O: 206.232.1300 | F: 206.232.7512

ShorewoodHeightsMgr@Pinnacleliving.com

ShorewoodHeights.com

Exceeding Your Expectations

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From: (b) (6) Privacy
Sent: Wednesday, April 22, 2015 9:01 AM
To: Shorewood Heights Manager
Cc: (b) (6)
Subject: Re: (b) (6) Burnt Scalp in the shower
Previous email should read:

Unfortunately the faucets did NOT fix the situation.

On Apr 22, 2015, at 8:58 AM, [REDACTED] wrote:

Hi [REDACTED],

I wanted to thank you for installing the faucets in our kitchen and the bathroom. There's still one faucet knob that was scheduled to be installed this Friday for the shower head control.

Based on what we're experiencing the temperature is still varying. So there's no need for the work crew to come this Friday for the install.

Please cancel this work order for Friday.

In the meantime, we'll countdown days until we move out until our lease expires.

Thank you for trying to make the changes for our unit - unfortunately the faucets did fix the situation.

BR,
[REDACTED]

On Apr 9, 2015, at 3:51 PM, Shorewood Heights Manager <ShorewoodHeightsMgr@pinnacleliving.com> wrote:

Hi [REDACTED]

I have the team prepared and scheduled for your work order on Tuesday and they will arrive between 2:30pm and 3pm.

Thank you, hope you're enjoying the sunshine!

[REDACTED]
[REDACTED]
Pinnacle
Shorewood Heights
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From: (b) (6) Privacy
Sent: Wednesday, April 08, 2015 5:11 PM
To: Shorewood Heights Manager
Cc: (b) (6)
Subject: Re: (b) (6) - Burnt Scalp in the shower

Hi [REDACTED],

2:30 pm on Tuesday next week is fine. Please confirm.

Thx
[REDACTED]

On Apr 8, 2015, at 3:42 PM, Shorewood Heights Manager <ShorewoodHeightsMgr@pinnacleliving.com> wrote:

[REDACTED]

Yes the time frame given allowed for both the fridge and faucets to be replaced at that time.
Please let me know if we can come in for that.

Thank you,
[REDACTED]
[REDACTED]

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From: (b) (6) Privacy [REDACTED]
Sent: Wednesday, April 08, 2015 1:04 PM
To: Shorewood Heights Manager
Cc: (b) (6) [REDACTED]
Subject: Re: (b) [REDACTED] - Burnt Scalp in the shower
[REDACTED]

Will they be also replacing the faucets @ that time?

Thx
[REDACTED]

On Apr 7, 2015, at 4:57 PM, Shorewood Heights Manager
<ShorewoodHeightsMgr@pinnacleliving.com> wrote:

Hi again,

Our maintenance team is all off at around 4-4:30, and we will anticipate the work to take around 1.5 hours due to the labor involved with this. Is there possibly an earlier time?

Thank you,
[REDACTED]
[REDACTED]

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From: (b) (6) Privacy [REDACTED]
Sent: Tuesday, April 07, 2015 4:51 PM
To: Shorewood Heights Manager
Subject: Re: (b) (6) - Burnt Scalp in the shower
Chezon,

Thank you. Next Tuesday 4pm would be best for the fridge & faucet fixes.

Please confirm.

Thx
[REDACTED]

On Apr 7, 2015, at 4:09 PM, Shorewood Heights Manager
<ShorewoodHeightsMgr@pinnacleliving.com> wrote:

Hi [REDACTED]

We found the rent check, it was applied to the old apartment but we corrected it and its registered in your new one. Sorry for the confusion there!

[REDACTED]
[REDACTED]
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From: (b) (6) Privacy [REDACTED]
Sent: Tuesday, April 07, 2015 2:17 PM
To: Shorewood Heights Manager
Cc: (b) (6) [REDACTED]

Subject: Re: (b) - Burnt Scalp in the shower

Hi ,

I did drop the rent on Sunday (the 5th) in the mailbox. If for whatever reason you are not able to locate it I can write another one - provided the original is voided.

Please confirm by 5pm.

Thx

On Apr 7, 2015, at 1:36 PM, Shorewood Heights Manager
<ShorewoodHeightsMgr@pinnacleliving.com> wrote:

Good afternoon

Thank you for letting us into your home earlier today. Just to cover what we went over:

1) Hot water issue: I tested the water temperature issue for myself and while I experienced temperature changes, I did not experience the burning that you and your wife say you endure. However, we have new faucets on order for you, we will contact you once they arrive to schedule a time to install them.

2) Fridge: Out of good faith and to appease your discomfort with your fridge problems, Matt and I can replace your fridge with an entirely new one. Would we be able to schedule a this for next Tuesday, 4/14/2015 since we are fully staffed on that day?

On another note, we do not have a rent check here for you for this month? When were you planning on paying rent?

Thank you again, I hope we can resolve these items for you sooner rather than later.


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and any attachment(s) from your system.

From: (b) (6) Privacy
Sent: Tuesday, April 07, 2015 7:08 AM
To: Shorewood Heights Manager
Cc: (b) (6)
Subject: Re: (b) (6) - Burnt Scalp in the shower
12 noon today would be perfect. This issue had kept me up all night. Please confirm.

On Apr 7, 2015, at 6:45 AM, Shorewood Heights Manager
<ShorewoodHeightsMgr@pinnacleliving.com>
wrote:

Good morning (b) (6)

I would like to come and look at these items myself. When is a good time to come by and take a look?

Thank you,
(b) (6)
(b) (6)
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From: (b) (6)
(b) (6) Privacy >
Sent: Tuesday, April 07, 2015 6:42:55 AM
To: Shorewood Heights Manager
Cc: (b) (6)

Subject: Re: (b) (6) - Burnt
Scalp in the shower

I want this to go on record.

My wife tells me that when she was in the shower yesterday, the water was warm for 5 minutes. She had shampooed her head and had soap in her eyes when the water temperature became scolding hot.

My wife has burnt has scalp due to the varying temperature. It took her a bit of time to find the temperature knob so her scalp is affected.

We are in serious need of this matter being resolved asap. It's been almost 4 weeks and I'm not sure what it takes to fix this but we need professional plumbers to address this issue if your maintenance crew is not up to the job.

Thx

On Apr 6, 2015, at 12:33 PM, A. Obaidi wrote:

Hi

Thank you for the flea fumigation. We're hoping that the unit won't require a second treatment. We'll know in a few weeks.

In addition, we've used baking soda fridge treatment for the past 3 days and we've been in the unit for over 3 weeks - we still have a pungent odor coming from the fridge. Even though we've cleaned it repeatedly. I vomited today just opening the fridge door. We're extremely concerned about our health if this pungent odor

continues. Ideally,
we'd like to swap
this fridge with the
#525 fridge or
another working
unit.

In addition, I'd like
to pickup my
cleaned vacuum
bag from your
office later today.

Thx

[REDACTED]

On Apr 3, 2015, at
11:21 AM,
Shorewood Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>
wrote:

Hi

[REDACTED]

I am
not
entirely
sure
how
this
process
works,
I will
confirm
his
process
with
you
when
he
arrives
at
3pm
today.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Pinnacle

Shorewood
Heights

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Shorewood
Drive

Mercer

Island,
WA
98040

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message
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only
for
the
named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies***

*reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.*

From:

(
(b)
(b) (6) Privacy >

Sent:

Friday,
April
03,
2015
11:15
AM

To:

(
(b)
Shorewood
Heights
Manager

Subject:

Re:

(b)

(b)

H

(b) (6)

Can
you
please
verify
the
following:

Will
the
exterminator
for
the
bugs
make
sure
that
after
the
extermination
process
is
complete
that
he
will
actually
then
open
our
windows
to
our
apartment
so
we
don't
come
to
a
highly
fumigated
unit?

Please
confirm.

(b)

(6)

From:

[REDACTED]

To:

Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>

Cc:

[REDACTED]

Sent:

Thursday,
April
2,
2015
6:22
PM

Subject:

Re:

[REDACTED]

Hi

(b) (6),

As
mentioned
in
the
previous
email
we'll
leave
the
apt
at
1pm
tomorrow
and
your
work
crew
may
enter
at
that
point.

The
CDC
has
also
discovered
a
new
virus
spreading
through
ticks
or
insect
bites
that
are
killing
people
-
discovered
a
month
ago.

We
hope
that
this
fumigation
will
resolve
this
matter
as

now
we're
extremely
concerned
for
our
health
and
well-
being
-
and
our
life.
If
this
is
an
issue
throughout
the
apartment
complex
the
only
way
to
eliminate
it
is
ensure
that
all
the
units
are
fumigated.

I
also
noticed
that
our
window
screens
(almost
all
of
them)
may
need
to
be
replaced
as
there
are
a
few
holes.
Please
try
to
have

this
fixed
tomorrow
as
well
please.

<http://www.foxnews.com/health/2015/02/20/cdc-discovers-new-virus-in-kansas/>

Please
read
the
above
article.

Best
Regards,
(b) (6)

On
Apr
2,
2015,
at
1:02
PM,
Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>
wrote:

Good
afternoon,
[REDACTED]

To
replace
your
faucets
we
are
going
to
need
to
place
the
order
for
them.
We
can
place

the
order
for
that
next
week
and
then
we
will
have
to
arrange
a
time
with
you
to
come
in
and
physically
replace
them.

Regarding
your
washer,
we
would
need
to
do
that
earlier
in
the
day
if
you
are
able
to
grant
us
access
for
that
we
can
do
it.
We
need
access
any
time
between
1pm
to
3pm
tomorrow
to
do
the
washer.
As

you
requested,
we
will
be
able
to
swap
it
with
the
washer
from
your
last
apartment.

■

■

■)If

we
do
the
washer
at
this
time
tomorrow
we
can
also
look
at
the
fridge
at
the
same
time.

In
regards
to
the
pests,
the
pest
company
requested
for
preparation,
can
you
please
make
sure
all
the
floors
are
cleared
as
much
as
you
can
for
treatment

and
also
vacuumed.
I
also
called
them
today
to
confirm
that
the
treatment
is
safe
around
your
pregnant
wife
as
long
as
you
are
out
of
the
apartment
for
at
least
2
hrs
after
the
treatment
is
performed.
I
have
them
on
schedule
for
3pm
treatment
tomorrow
to
address
this
issue
for
you.

Please
let
me
know
if
this
will
work
for
you,
I
would
like
to

put
your
issues
to
rest
as
soon
as
possible,

Thank
you,



Property
Manager

Pinnacle

Shorewood
Heights

3209
Shorewood
Drive

Mercer
Island,
WA
98040

O:
206.232.1300
I F:
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for
the
named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,***

*you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any*

*attachment(s)
from
your
system.*

From:

(

(b)

(b) (6) Privacy

Sent:

Monday,
March
30,
2015
11:53
AM

To:

Shorewood
Heights
Manager

Subject:

Re:

(b)

(b)

3pm

on

Friday

works

best.

The

3-

4pm

window

is

fine.

I'm

anticipating

that

the

pest

controller

will

apply

the

treatment

on

Friday

at

3pm

and

I can

use

my

apt

that

night?

Please
confirm.

Thx

On
Mar
30,
2015,
at
11:30
AM,
Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>
wrote:

I
would
have
to
call
and
request
a
time
for
him.
I've
seen
him
arrive
as
early
as
9am
on
Fridays,
I
would
just
have
to
ask
him.
Is
9am
on
Friday
too
early
for
Pest
treatment?

Also,
for
the
3pm
appointment
for
my
team,
can
I
give
the
team

a
window
of
3-
4pm
as
all
appointments
are
typically
a
window
of
time
for
the
team.

Thank
you

[REDACTED],

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]ger

Pinnacle

Shorewood
Heights

3209
Shorewood
Drive

Mercer
Island,
WA
98040

O:
206.232.1300
I

F:
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***This
e-
mail
message
is
intended
only
for
the***

named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately

*notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.*

From:

(b)
(b)
(b) (6) Privacy

Sent:

Monday,
March
30,
2015
11:26
AM

To:

Shorewood
Heights
Manager

Cc:

Shorewood
Heights

Subject:

Re:

(b)
(b)

Hi
again,

Confirmed.

I
would
like
to
know
if
I
were
to
have
the
pest
control
person
in

my
apartment
-
when
is
the
earliest
he
could
come?
It
would
help
to
know
his
schedule
for
me
to
consider
other
times
please?

(b)
(6)

From:
Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>

To:
(b)
(6) (6) Privacy

Cc:
Shorewood
Heights
<shorewoodheights@pinnacleliving.com>

Sent:
Monday,
March
30,
2015
11:24
AM

Subject:
Re:
(b)
(6)

Hi
again,

Alright,
so
the
only
items
left
are:

1)

The
fridge
doors

2)
Pest
Control
visit
on
Friday

3)
Pending
hot
water
issue

Just
to
make
sure
I
am
not
missing
anything.

I
will
send
my
team
in
on
Friday
at
3pm.
I
will
send
you
any
prep
paperwork
if
needed
before
Friday
for
the
pests.

Thank
you

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Pinnacle

Shorewood
Heights

3209
Shorewood
Drive

Mercer
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WA
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O:
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named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)*

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strictly
prohibited.
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and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.*

From:

(b)

(b)

(b) (6) Privacy

Sent:

**Monday,
March**

30,
2015
11:20
AM

To:
Shorewood
Heights
Manager

Cc:
Shorewood
Heights;
(b) (6)
(b) (6)

Subject:
Re:
(b) (6)
(b) (6)

Hi
[REDACTED]

3pm
Friday
works
best.
The
ceiling
spots
were
confirmed
as
black
mold
spots
which
were
removed
with
Bleach.

I
did
confirm
this
as
black
mold
by
visiting

www.blackmold.awardspace.com
as
well
as

www.Inspectapedia.com
among
other
sites
before
I
called

the
office
for
a
work
order.
Both
sites
had
the
exact
black
mold
footprints
as
the
one
found
in
our
ceiling.

Thx



On
Mar
30,
2015,
at
11:03
AM,
Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>
wrote:

That
time
does
work,
but
my
concern
is,
are
you
alright
waiting
that
long
for
pest
control?
I
can
ask
him
to
come
out
earlier

for
you
to
take
charge
of
the
pests
as
soon
as
possible.
Just
let
me
know.

I
truly
hope
this
helps
with
the
water,
so
please
do
let
me
know
if
the
changes
to
the
water
heater
work
or
not.

I
spoke
with
[REDACTED],
we
assessed
the
spots
you
noticed
on
the
ceiling
were
paint
mishaps
and
repaired
this
already.
Could
you
kindly

confirm?

Unless
instructed
otherwise
I
will
arrange
for
the
team
to
take
care
of
this
on
Friday
April
3rd
at
3pm.

Thank
you,

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Pinnacle

Shorewood
Heights

3209
Shorewood
Drive

Mercer
Island,
WA
98040

O:
206.232.1300
I

F:
206.232.7512
ShorewoodHeightsMgr@Pinnacleliving.com

ShorewoodHeights.com

Exceeding
Your
Expectations

*This
e-
mail
message*

is
intended
only
for
the
named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-

*mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.*

From:

(
(b)
(b) (6) Privacy

Sent:

**Monday,
March
30,
2015
10:59
AM**

To:

**Shorewood
Heights
Manager**

Cc:

**Shorewood
Heights;
(
(b)**

Subject:

Re:

(b)
(b)

Good

(b) (6)
Privacy

**First
and
foremost
thank
you!**

1)
I
will
monitor
the
faucet
temperatures
-
as
of
last
evening
~4pm
the
dishes
had
to
be
washed
with
cold
water
because
of
the
varying
water
temperature.
I
will
be
able
to
tell
you
the
impact
of
the
changes
by
the
end
of
the
week
as
it
takes
a
few
days
of
testing
and
monitoring
the
water
level.

2)
Friday
3pm
works
best
for
both
the
fridge
and
the
pest
control
issues.
Please
confirm
if
that
time
works
best?

Thx .

(b) (6) Privacy

From:
Shorewood
Heights
Manager
<ShorewoodHeightsMgr@pinnacleliving.com>

To:
(b)
(b) (6) Privacy

Cc:
Shorewood
Heights
<shorewoodheights@pinnacleliving.com>

Sent:
Monday,
March
30,
2015
9:46
AM

Subject:
Re:

(b)
(b)

Good
morning
(b) (6)
P I

We
actually
turned
the
temperature
down
10
degrees
lower.
Since
your
emails
from
this
weekend,
my
team
has
turned
it
down
another
8
degrees
bringing
the
hot
water

to
120
degrees
for
the
entire
building
since
your
building
has
to
share
a
single
hot
water
tank.
Originally
it
was
set
to
138
and
we
have
now
turned
it
down
a
full
18
degrees.

In
regards
to
the
bugs,
my
pest
control
service
comes
out
every
Friday,
I
could
have
him
take
a
look
in
your
home
if
you
like.
I

know
you
require
appointments
for
all
work
need
in
your
apartment
home.
All
my
team
is
aware
of
your
specifics
and
we
have
to
ensure
our
appointments
are
met
with
your
requests.

When
would
you
like
us
to
come
in
and
take
a
look
at
the
fridge
and
pests?
We
are
doing
our
best
to
address
the
hot
water
issue,
and
all

three
of
my
trained
staff
say
it
has
nothing
to
do
with
the
faucets,
the
temperature
will
still
come
out
the
same
regardless
of
faucet
change.

Thank
you,

(b) (6)
Pinnacle

(b) (6)
Pinnacle
P I
Pinnacle

Shorewood
Heights

3209
Shorewood
Drive

Mercer
Island,
WA
98040

O:
206.232.1300
I
F:
206.232.7512

ShorewoodHeightsMgr@Pinnacleliving.com

ShorewoodHeights.com

Exceeding
Your

Expectations

This
e-
mail
message
is
intended
only
for
the
named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are
not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-

mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this
e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.

From:

(b) (6)
(b) (6) Privacy

Sent:
Saturday,
March
28,
2015
6:43
PM

To:
Shorewood
Heights
Manager

Cc:
Shorewood

Heights;

(b) (6) Privacy

Subject:

(b)
(6)

Hi

(b) (6) ,

We
had
a
work
order
for
our
fridge
(has
obnoxious
odor
since
day
1
+
bad
doors
+
makes
noises)
and
our
faucets
-
the
faucets
have
no
proper
temperature
control.
I've
put
in
a
work
order,
called
the
office
4
times,
and
indicated
to
the
work
crew
that
my
hands

have
been
SCOLDED
WITH
HOT
WATER
NOW
8
TIMES.

The
repairs
were
supposed
to
be
done
last
Tuesday,
it
was
postponed
to
Yesterday,
then
the
repair
crew
told
me
the
office
will
call
be
yesterday
so
they
can
fix
it
today.
No
one
has
called
us
yet.

No
fixes
have
been
made
to
the
hot
water
faucets.

In

addition,
our
unit
has
so
many
fleas/bugs
that
we
need
it
to
be
properly
terminix
type
solution.

Shorewood
is
in
violation
of
the
lease
agreement
because
the
unit
is
not
being
repaired
and
is
not
sanitary
and
has
major
health
issues.
It
even
had
mold
on
the
roof
which
we
requested
be
cleaned.

I'm
attaching
the
picture
of
the
bugs

that
exist.

Please
fix
this
asap
(tomorrow)
otherwise
This
is
a
violation
of
my
lease
agreement
on
your
end.
I'm
paying
rent
and
Shorewood
must
provide
me
a
safe
place
to
live
in.

(b) (6)

Privac

(b)

(6)

Priv

This
e-
mail
message
is
intended
only
for
the
named
recipient(s)
above.
It
may
contain
confidential
information.
If
you
are

not
the
intended
recipient,
you
are
hereby
notified
that
any
use,
dissemination,
distribution
or
copying
of
this
e-
mail
and
any
attachment(s)
is
strictly
prohibited.
Pinnacle
and
its
related
and
subsidiary
companies
reserve
the
right
to
archive
and
monitor
all
e-
mail
communications
through
its
networks.
If
you
have
received
this
e-
mail
in
error,
please
immediately
notify
the
sender
by
replying
to
this

**e-
mail
and
deleting
the
message
and
any
attachment(s)
from
your
system.**

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mail
in
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the
sender
by
replying
to

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and
any
attachment(s)
from
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mail
in
error,
please
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notify
the
sender
by
replying
to
this
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the
message
and
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replying
to
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From: [REDACTED]
To: [Title VI Complaints](#)
Subject: Stop N Gas: Kingwood, Tx. / Diesel overflow
Date: Monday, June 22, 2015 11:40:50 AM

To whom it may concern,

My husband and I stopped by the above location (22325 Loop 494, Kingwood, Tx 77339 (b) (6) Privacy). Owner Mo (b) (6) Privacy, at 2:15p on 6/20/2015, and he went in to get a pack of cigarettes. He paid for them and we have the receipt and it is time stamped 2:17 PM. He came out to the truck to get in and slipped on an overflow of diesel in the parking lot. He fell to the ground and I came around to help him get up diesel was all over the back of his shirt and shorts as well as he hit his head. He went in to let thy store clerk know about the incident. He came back out to the vehicle we were attempting to brush the diesel off of the back of his shirt and shorts, the store clerks came out to look at these spilled diesel. My husband had to take his shirt off as the diesel with burning his back. We put golf towels over the back of the seat so he could sit in the vehicle. We then went home so my husband could shower and get the diesel off at him. I contacted the Stop N Go and let them know that we would be returning to do an incident report.

We returned approximately 3:40 pm, I went inside the store clerk (b) (6) was present, I told her I was there to make an incident report, she tried to call the store owner, he told her to tell me via the phone that he was busy to come back tomorrow and he hung up. She tried to call back numerous times, and said that she couldn't do anything without him. I looked on the doors into the store and there was a sticker with a number to call with complaints, I tried to call, and left an message for him to call back. I left my name and number with the store clerk for Mo to return my call.

I tried to repeatedly tried to contact Mo on 6/20 and 6/21, and the phone always went to voice mail.

I then returned to the Stop N Go on Monday, 6/22 at 8:45 am, and went into the store, Mo was at the register, and I explained that it was my husband who fell on Saturday afternoon, the situation, and he then told me that people only fell when they wanted to and there was nothing he was going to do.

I would like to make a formal complaint about the diesel that has overflowed on the ground at this location, and see what else there is that I can do.

Please contact me for further information.

(b) (6)
(b) (6)
(b) (6) Privacy

Sent from my iPad